



Town of Arlington, MA Redevelopment Board

Agenda & Meeting Notice July 15, 2024

Per Board Rules and Regulations, public comments will be accepted during the public comment periods designated on the agenda. Written comments may be provided by email to cricker@town.arlington.ma.us by Monday, July 15, 2024, at 3:00 pm. The Board requests that correspondence that includes visual information should be provided by Friday, July 12, 2024, at 12:00 pm.

The Arlington Redevelopment Board will meet Monday, July 15, 2024 at 7:30 PM in the **Select Board chambers, Town Hall, 2nd floor, 730 Massachusetts Ave, Arlington, MA 02476**

1. Review Meeting Minutes

7:30 pm The Board will review and vote on meeting minutes from June 17, 2024, and July 1, 2024.

2. Discussion of 1500 Massachusetts Avenue

7:40 pm The Board will discuss issues concerning the construction of the building at 1500 Mass Ave.

3. Presentation and Discussion of Fox Library Housing Feasibility Study

8:15 pm The Board will hear from the Library Director and the Director of DPCD about the Feasibility Study about building affordable housing over the Fox Library.

4. Memo regarding allowed changes to Special Permits

8:45 pm The Director of DPCD will present a memo for discussion by the Board about the types of changes allowed after a Special Permit is granted.

5. Open Forum

9:00 pm Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made, the night of the presentation. There is a three-minute time limit to present a concern or request.

6. New Business

9:15 pm

7. Adjourn

9:30 pm (Estimated)



Town of Arlington, Massachusetts

Review Meeting Minutes

Summary:

7:30 pm The Board will review and vote on meeting minutes from June 17, 2024, and July 1, 2024.

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	06172024_AMENDED_DRAFT_Minutes_Redevelopment_Board.pdf	06172024 AMENDED DRAFT Minutes Redevelopment Board
▢ Reference Material	07012024_AMENDED_DRAFT_Minutes_Redevelopment_Board.pdf	07012024 AMENDED DRAFT Minutes Redevelopment Board

Arlington Redevelopment Board
Monday, June 17, 2024, at 7:30 PM
Community Center, Main Hall
27 Maple Street, Arlington, MA 02476
Meeting Minutes

This meeting was recorded by ACMi.

PRESENT: Rachel Zsebery (Chair), Eugene Benson, Shaina Korman-Houston, Kin Lau, Stephen Revilak

STAFF: Claire Ricker, Director of Planning and Community Development; Sarah Suarez, Assistant Director of Planning and Community Development

The Chair called the meeting of the Board to order.

The Chair opened with **Agenda Item 1 – Review Meeting Minutes.**

June 10, 2024, minutes – Mr. Lau had one minor change to the minutes. The Chair requested a motion to approve the minutes as amended. Mr. Benson so moved, Mr. Revilak seconded, and the Board voted unanimously in favor.

The Chair moved to **Agenda Item 2 – Public Hearing: Docket #3799, 5-7 Belknap Street.**

Ms. Ricker explained that this hearing was scheduled to open on May 20, 2024, but a quorum was not present at that Board meeting. The Board is not ready to hear the application because it needs to be resubmitted with a Site Plan Review application after the Town receives final approval from the Attorney General's Office of the zoning bylaw amendments relating to the Multi-Family Housing Overlay Districts. But the Town is required to open a hearing within 60 days of receiving the initial application on April 22, 2024, so the Board needs to vote to open the hearing tonight and continue it to a later date.

Mr. Revilak said that he would prefer that the applicant withdraw the application under Environmental Design Review and resubmit a new application under Site Plan Review after approval from the AG's office. He does not think that the Board should open the hearing until they receive the correct application.

Mr. Benson agreed. He thinks that the Board should vote to dismiss the application, which will have the effect of taking action within 60 days. Ms. Korman-Houston asked for clarification on what it means to dismiss an application. The Chair said that would mean that the Board will not hear this case with the current application, but it is not a rejection or disapproval of the project. The Chair said that going forward, applicants who submit the incorrect application should be notified before it comes to the Board.

The Board asked for a motion to dismiss the application of Docket #3799 because the use request is not listed as a Special Permit in that district, with a request that the applicant refile a Site Plan Review application after the AG's decision regarding the Multi-Family Housing Overlay Districts is received by the Town. Mr. Benson so moved; Mr. Revilak seconded; and the Board approved unanimously.

The Chair moved to **Agenda Item 3 – Arlington Master Plan Update Advisory Committee.**

Ms. Ricker said that the AMPUp Advisory Committee held its first meeting on Thursday, June 13, 2024. The meeting covered introductions and roles and responsibilities. The next step will be to elect two committee co-chairs. The committee will be complete once it has official representation from both the Redevelopment Board and the Select Board. Once all committee members and the co-chairs are in place, their first task will be to review the Request for Proposals (RFP) for the AMPUp consultant.

Mr. Benson and Mr. Revilak both attended the Advisory Committee meeting and expressed interest in serving as a Board representative. The other Board members expressed support for having two representatives on the committee. Ms. Ricker said that if the Board wishes to have two representatives, they may vote to do so.

The Chair asked for a motion to appoint Mr. Benson and Mr. Revilak to the AMPUp Advisory Committee. Mr. Lau so moved; Ms. Korman-Houston seconded, and the Board approved unanimously.

The Chair moved to **Agenda Item 4 – Public Hearing: Docket #3801, 61 Dudley Street.**

Ms. Ricker said that 61 Dudley Street is an existing non-conforming single-family residence in the Industrial District, abutting the Minuteman Bikeway. The property owners would like to renovate the property and convert it to a two-family residence. Approval of the project would require relief from the following requirements in the zoning bylaw:

- *Where feasible, the principal façade of the principal building on the site shall be no more than 10 feet from the front lot line (§ 5.6.2.D(2)).* The applicant seeks relief to allow the principal façade to be more than 10 feet from the front lot line.
- *The required minimum transparency of the ground floor principal façade visible from a public right-of-way shall be 50% of the area measured between 2 and 8 feet in height from the level of the finished sidewalk (§ 5.6.2.D(3)).* The applicant argues that this requirement is not appropriate for a residential building.
- *The primary building entry shall be connected by an accessible surface to the public sidewalk (§ 5.6.2.D(3)).* The applicant seeks relief from this requirement.
- *Provide a shade tree every 35 linear feet of lot frontage along a public right of way, and to the extent practicable, irrigated planter boxes every 15 linear feet of frontage along a public right of way (§ 5.6.2.D(5)).* The applicant intends to provide a shade tree, but not every 35 linear feet.
- *For lots that abut the Minuteman Bikeway, two (2) benches or similar permanent seating accessible to the public should be located within the yard adjacent to the Bikeway (§ 5.6.2.D(5)).* The applicant proposes two benches, but not on the property itself.
- *A project requiring Environmental Design Review shall include a solar energy system that is equivalent to at least fifty percent of the roof area of the building or buildings that are the subject of the review (§ 6.4.1).* The applicant has done a rooftop solar analysis, and they have determined that they cannot build a solar system equivalent to at least 50% of the roof area.

Ms. Ricker said approval of this project would require several findings by the Board:

- That the pre-existing nonconforming structure and use may be extended and altered, without being substantially more detrimental to the neighborhood than the existing non-conforming use (§ 8.1.1.A).
- That the nonconforming use of the structure (detached single-family dwelling) may be changed to another nonconforming use (duplex dwelling) not substantially different from the existing use (§ 8.1.2.B).
- That the alteration and extension of the single- or two-family residential structure which increases the nonconforming nature of the structure will not be substantially more detrimental to the neighborhood than the existing use (§ 8.1.3.B).
- That the addition of a driveway directly in front of the structure is necessary and convenient to the public interest (§ 6.1.10.F(1)).

The Chair invited the applicant's representative, Attorney Mary Wintanley O'Connor, to make a presentation to the Board. She introduced the property owners Gary and Mark Santini and the architect Bryan Poisson. She noted that a detailed impact statement and a Memorandum of Law were prepared and submitted as part of the application. The Board has the ability under Section 8 of the Zoning Bylaw to allow the expansion of the non-conforming residential use. The proposal will be a significant improvement to the lot. As a 6,200-square foot lot, the property is not large enough for an industrial use. Housing in Arlington is a critical need, particularly near public transportation. She noted that the requirements that would require relief under Section 5 are designed for an industrial or commercial use and are not applicable to a residential use.

Mr. Poisson shared the proposed site plan, showing the plan to expand the existing building from a single- to a two-family building. They intend to maintain the front and side setbacks. They intend to use the existing driveway on the right side of the property and add a second driveway on the left side. He shared photos of Dudley Street, showing that the property is surrounded by other residential buildings, despite being zoned Industrial. He also shared architectural drawings of the planned two-family building. The proposed massing and style are in keeping with the neighborhood. He brought siding samples to share with the Board as well.

Mr. Revilak asked several questions:

- He asked if the applicant intends to preserve any walls of the existing structure. Mr. Poisson replied that they are preserving the right and front walls.
- He asked why the applicant is proposing two separate driveways, given that a single double-wide driveway is more standard for two-family houses in Arlington, and would not require a special permit for an additional curb cut. Mr. Poisson said that they wanted to keep the existing driveway, but its placement is not conducive to widening it for the use of both units. Creating a new wider driveway in a different position would have required additional excavation.
- He asked if the applicant intends to preserve the large tree in the back. Mr. Poisson confirmed that they do.
- He asked if it would be possible for the owners to rebuild the structure as a single-family home by right as long as they preserved two walls, given that the property is non-confirming in a variety of ways. Ms. O'Connor replied that she thinks such a project would require a Special Permit and could not be done by right.

Mr. Benson asked several questions:

- He asked if the building currently has a tenant. Mr. Santini said that it does, but the current tenants are planning to move out. The current rent is \$2,800 per month.
- He asked if the owners intend to rent out the two units or to sell them. Mr. Santini said that their intent is to sell the two units as condos once the property is redeveloped.
- The plans indicate that 48% of the roof area could be covered by a solar array. He asked if the applicant intends to actually include 48% solar coverage or to make the roof solar-ready. The Santinis and Mr. Poisson replied that they intend to include solar panels.
- There is currently a street tree on the left front corner of the property. He asked if that would need to come down to put in the second driveway. Mr. Santini said that he was not sure. It is owned by the Town and seems to be in good health, so Mr. Benson said that they need to figure that out.

Ms. Korman-Houston had several comments and questions:

- She encouraged the applicant to talk to the solar provider before moving forward. It can be difficult to put solar panels on small condos, and providers sometimes have concerns about putting multiple systems on shared roofs.
- She asked why only one tree is planned in the front. Mr. Poisson said that the bylaw only requires one. He also said that the trees in the back will remain.
- She asked if the benches would be on public property. Mr. Poisson said that they would.
- She asked if the applicant has considered methods to create additional depth or the appearance of depth, to mitigate the transparency requirement. Mr. Poisson said that they could consider a different type of front window.
- She asked where trash and recycling bins would be located. Mr. Poisson said that they would be in the lower-level garages.

Mr. Lau had several comments and questions:

- He was initially concerned about increasing residential units in the Industrial District, thereby reducing the area available for industry. But after driving through the neighborhood, he realized that it is primarily a residential neighborhood, despite being zoned Industrial. He thinks that the plans fit the neighborhood well.
- The cornice seems shallow, and it would be better if the frieze-board could be taller.
- The side elevations show dental moldings, but the front elevations do not. Mr. Poisson said that the intent is to include them. Mr. Lau said that the elevations should be modified to indicate that on the front as well as the sides.
- The water table seems thin. Adding a slant or making the water table thicker would give it a better proportion.
- He asked if they intend to use heat pumps, which Mr. Poisson confirmed. He asked where the condensers would be located, and he recommended putting them in the back between the two stairs. Mr. Poisson said that they have not thought that far ahead, but they will likely go between the stairs or on the corner of the building in back.

- He asked about the siding on the dormers, and Mr. Poisson said that the siding will go all the way and run horizontal.

The Chair opened the floor to public comment:

- Wynelle Evans, Orchard Place – She lives a block away and walks on Dudley Street frequently. She likes the mix of residential and light industrial, and she is in favor of this project. She understands that it goes against the Town's stated desire to increase business development, but she thinks that it is appropriate here given the nature of the neighborhood. She appreciates that the applicants plan to maintain the front setback, to save the existing trees, and to include windows all the way around the building. She noticed that the usable open space will be reduced from approximately 4,400 square feet to 0 square feet. She also noted that the height is indicated at three stories, 37.8 feet, which exceeds what would be allowed in a residential district but is less than what would be allowed in the industrial district. She understands that this project is coming before this Board because it abuts the Bikeway, but she thinks that it probably should have gone before the Zoning Board of Appeals (ZBA) first to obtain a variance for the proposed changes.

The Chair closed public comment. She said that in its role as a planning board, the Redevelopment Board has the authority to grant relief on certain sections of the zoning bylaw.

Mr. Revilak said that he is comfortable making the four findings outlined by Ms. Ricker. He is less clear on whether the Board can make a necessary finding about the dimensional aspects. The standards regarding the Industrial District in the zoning bylaw do not contemplate the construction or reconstruction of single- or two-family dwellings. He would prefer to treat this as the construction of a two-family dwelling, subject to the dimensional regulations in the R2 district, in exchange for granting relief on the industrial standards. Ms. O'Connor said that she understands Mr. Revilak's thought process, but she thinks that is a slippery slope and would prefer to be subject to the dimensional requirements of the Industrial District. Future applicants could propose other uses, saying they want to be subject to the dimensional requirements for different districts.

The Chair said that she is also unsure about how to treat the application – the Board is being asked to treat this application as a standard two-family house, which is not allowable in the Industrial District, and they are also being asked to waive significant requirements which were put in place to ensure that properties are redeveloped in keeping with the character of the Industrial District.

Mr. Benson noted that this is not an application for a variance. None of the rules for the Industrial District contemplate single- or two-family houses. This raises two questions for him: should the Board grant all the required relief, and is the proposed redevelopment more detrimental to the neighborhood than the existing use? Regarding the first question, this property just happens to abut the Minuteman Bikeway, which is why the Board is hearing this application. If the application were for a similar property across the street that did not abut the Bikeway, it would go to the ZBA, which would make a decision without the flexibility to make exceptions available to the Redevelopment Board. That flexibility was not intended to allow for an application like this; nothing in the bylaw authorizes the Board to make such exceptions except for the fact that the property happens to abut the Bikeway. As a result, he cannot agree to all the requested exceptions. Regarding the second question, he thinks that the proposed redevelopment is detrimental to the intention of Town Meeting and the zoning bylaw for the neighborhood. Although Dudley Street is currently a mix of residential and industrial properties, the intention of the bylaw is clearly for the area to eventually become entirely industrial and not to allow more residential development. A few years ago, Town Meeting approved new industrial zoning, and after extensive discussion, they decided to only allow new residential development as part of mixed-use development for artists. He noted that other small houses on the block have been converted to offices that better fit the purpose of the Industrial District, so the fact that the lot is small is not necessarily a barrier to industrial or commercial use. If the Board approves this application, and it results in two condos sold separately to new owners, the Town will lose the opportunity for that property to eventually be put to an industrial use.

Ms. Korman-Houston said that she was initially supportive of the project, but she found Mr. Benson's position persuasive. She had not fully understood the goal of having the area transition to primarily industrial use. She also thinks that the ZBA may be the better venue for this application.

The Chair said that she agrees with Mr. Benson. Her biggest concern is that once this property is sold as condos, it is unlikely to be sold as a single parcel in the future, and the opportunity for more creative development on that block will be lost.

Mr. Lau disagreed with Mr. Benson. The lot is only 6,000 square feet, and it is on the edge of the Industrial District. He ordinarily would not want to see properties zoned for commercial or industrial use changed to residential use, but he does not think that this particular property is ever likely to become an industrial use. Mr. Benson said this property is not on the edge of the Industrial District, because with one exception, all of Dudley Street is zoned industrial.

Mr. Revilak said that he is comfortable with most of the requested relief, but he would like to see the fenestration standard met.

Ms. O'Connor noted that the property owners did look into the possibility of putting industrial development on the site, but it was impossible, because it was too small. The properties around 61 Dudley Street are almost all residential, so the reality is that this property is highly unlikely to ever be converted to an industrial use, and it would be better to maximize the use that is actually there. In addition, she disagrees with Mr. Benson's assessment of what would constitute a substantial detriment. The question should not be whether putting a residential use on the property constitutes a substantial detriment, because there is already a residential use on the property. The question should be whether the proposed changes, which do not involve a change to a residential use, would be more detrimental to the neighborhood.

Mr. Benson noted that aside from his concern that the proposed development would be more detrimental to the neighborhood than the existing use, he would not support granting all the elements of relief required, because he does not believe that the Board should be able to make such exceptions just because something abuts the Bikeway.

The Chair asked for a motion not to approve the application for Docket #3801. Mr. Benson so moved; Ms. Korman-Houston seconded; and the Board voted 4-1 in favor, with Mr. Lau voting no. The Chair informed the applicants that the Board would not approve their application.

The Chair moved to **Agenda Item 5 – Open Forum.**

The Chair opened the floor to public comment. Seeing no one who wished to speak, she closed public comment.

The Chair moved to **Agenda Item 6 – New Business.**

Mr. Revilak reported that he recently visited Portland, ME. He was impressed with the way that the downtown area was developed, with buildings close together and close to the curb and not broken up by parking lots. He read their zoning bylaw and noted that they allow reductions in parking requirements for a fee, which goes into a sustainable transportation fund, which can be used for bus improvements, pedestrian amenities, bicycle parking, or other transportation uses which are not for private vehicles or parking. He thought that when the Board begins considering Transportation Demand Management (TDM) plans for multi-family housing, they might want to consider something similar. Mr. Lau noted that Portland is currently a very popular location, and they can afford to add parking-related costs to development. He expressed concern that enacting something similar in Arlington would discourage development.

The Chair asked Ms. Ricker if a joint meeting with the Select Board has been scheduled. Ms. Ricker replied that it will occur in September, but the date has not been set.

The Chair said that at one of the July meetings, she would like to review and discuss a memo from DPCD, with the input of Town Counsel, explaining what types changes to the original plans for 1207-1211 Mass Ave would constitute an acceptable modification to the existing Special Permit, and what types of changes would require a new Special Permit. Ms. Ricker said that she would continue working with Town Counsel to create such a memo.

The Chair asked for a motion to adjourn. Mr. Revilak so moved, and Mr. Lau seconded. The Board voted and approved unanimously.

Meeting **Adjourned at 8:50 pm.**

Arlington Redevelopment Board
Monday, July 1, 2024, at 7:30 PM
Community Center, Main Hall
27 Maple Street, Arlington, MA 02476
Meeting Minutes

This meeting was recorded by ACMI.

PRESENT: Rachel Zsebery (Chair), Eugene Benson, Shaina Korman-Houston, Kin Lau, Stephen Revilak

STAFF: Claire Ricker, Director of Planning and Community Development; Sarah Suarez, Assistant Director of Planning and Community Development

The Chair called the meeting of the Board to order.

The Chair opened with **Agenda Item 1 – Public Hearing: Docket #3798, 821 Massachusetts Avenue (continued from June 10, 2024).**

Ms. Ricker explained that this is an application by Noyes Realty regarding the property at 821 Mass Ave. The applicant proposes to demolish the existing building and construct a mixed-use building on the property, which is zoned B4 – Vehicular-oriented Business. The applicant seeks some relief from the landscape buffer, per Section 6.1.11. Section 5.5.1.E states, “Arlington has an abundance of automotive and automotive accessory sales and service establishments. As these businesses gradually close, the Town has encouraged conversion of the property to other retail, service, office, or residential use, particularly as part of mixed-use development.” While the property does not currently have auto use, it is zoned for such use, so the Board can find that this project meets the aspirations of the Zoning Bylaw in terms of mixed-use development in the B4 District.

Attorney Mary Winstanley-O’Connor, project attorney, introduced herself, Andres Rojas, project architect, and Geoffrey Noyes, property owner. She is taking over this matter from Attorney Robert Annese, who submitted the initial application. She was the attorney who represented CVS, which is part of the same property, in their special permit application 15 years ago. It was always the intention of the Board that the other portion of the property be developed as well. She stated that the proposal is in conformity with the Master Plan, the Zoning Bylaw, and the recent MBTA Communities legislation. The project complies in all respects with dimensional requirements, and it includes more than adequate parking.

Mr. Rojas introduced himself as a principal at Rojas Design, a firm that provides architectural, interior design, and landscape architectural services. They are proposing a mixed-use building with approximately 16,800 square feet, including a 4,400 square-foot basement. The first floor is about 2,400 square feet and could be one or two office spaces, with the primary entrance in the front, facing Mass Ave. The plans also include two upstairs residential units and a self-contained townhouse-style rear residential unit, all of which will be entered from the rear of the building. All three residential units and the office spaces will have storage in the basement. The residential units will also have roof decks. The building is designed such that the main mass of the building will be pushed toward the CVS, so as not to cast a shadow on the courtyard of the church on the other side. The Tree Warden approved all the plants they intend to add. The building falls within the dimensional requirements at approximately 36 feet high. They expect to use aluminum-clad panels as the primary exterior material. They plan to create a sustainable project, including energy-efficient lighting and electrical devices, cool roofs, trellis shading, solar-ready roof features, non-water-intensive landscaping, non-invasive plants, and site and building cooling strategies. They are looking carefully at waste reduction and recycling, and they will have a stormwater management plan in place as required by the bylaw.

The Chair noted some required application materials that have not yet been received, which the Board will need to see before making a decision:

- Lighting plan, including fixtures,
- LEED checklist,

- Stormwater management plan,
- Rendering,
- Indication of façade materials, including color samples, and
- Elevations with the surrounding context, including photos of existing conditions and drawings of the proposed development in context.

Mr. Lau asked why the applicant chose to build a three-story building, given that zoning would allow them to build higher and include more units. Ms. Winstanley-O'Connor said that they wanted to be respectful of the church and not overshadow its courtyard. Mr. Rojas said in the context of CVS on one side and the church on the other, a three-story building would be the most appropriate. A four-story building would also introduce the requirement for an elevator, which would expand the project scope. Mr. Lau said that he would like to see a shadow study of a three-story versus a five-story building to see what impact it has on the church. He thinks that this is an opportunity to create more housing, including possibly an affordable unit.

Mr. Lau said that he would like to see the stairway on the front elevation relocated to the back or the side, so that the front façade would present more clearly as a commercial building. Having the staircase in the middle of the building limits the options as to what kinds of businesses would be interested in renting the commercial space, because it makes it effectively two separate, smaller spaces. This project should help activate the streetscape, and having one large storefront across the first floor would do so more effectively. He also recommended moving the rear parking spaces slightly away from the building, thus creating more of a "front" yard for the rear-facing townhouse unit, which in the current plan opens directly onto parking.

Mr. Lau said that he would like to see images of this building in the context of the rest of the street.

Mr. Lau asked which unit is handicapped-accessible. Mr. Rojas replied that an accessible unit is not required in a three-unit building, so they are not planning on building one.

Ms. Korman-Houston asked for dimensions on the site plans showing how far the proposed building is from the church at the closest point.

Ms. Korman-Houston asked if residential units are intended for rental or sale. Mr. Rojas replied that they will be rental units. She noted that the property is designed as solar-ready but does not include solar panels. Her interpretation of the bylaw is that it must either include solar panels or the applicant must do a solar assessment showing that it would be cost-prohibitive to do solar. With condos that will have separate owners, it can be more difficult, but if the units will be rentals, it should be possible to do solar. Mr. Rojas replied that they would do a solar assessment.

Ms. Korman-Houston asked if there would be bike parking inside the building. Mr. Rojas said that there are five bike parking spaces outside the building and none inside.

Ms. Korman-Houston asked why they are aiming for office use instead of some other use that might create more activity on the street. Ms. Winstanley-O'Connor said that the lease with CVS prohibits retail or restaurant use. The Chair asked if they are targeting a specific type of office use, because different types of offices have different effects on the streetscape. The applicant replied that it should be for whatever is most needed. The Chair asked them to think about how and to whom they would market the space.

Ms. Korman-Houston agreed with Mr. Lau's recommendation about rethinking the design of the building to maximize the flexibility of the use of the commercial space.

Ms. Korman-Houston encouraged the applicant to have the Fire Department look at the site plan for safety issues sooner rather than later.

Mr. Benson highlighted a number of things that are missing or incorrect on the application. He said that the Board would require a new application that is complete and accurate.

- Section 6.4 of the Zoning Bylaw and the Board's Rules and Regulations require a solar energy system assessment. Unless the assessment shows that it's not feasible, they are required to have solar on at least 50% of the roof, which will likely require changes to the plans for the roof decks.

- The LEED checklist and narrative are missing.
- Photographs of what is currently on the parcel and on neighboring parcels are required.
- He would like to see a copy of the relevant sections of the lease with CVS, even if some of it needs to be redacted, showing the following:
 - that retail is not allowed, and anything else that is not allowed,
 - how the leasehold lines are described in the lease,
 - an easement or right-of-way showing that people parking in the back of 821 Mass Ave are allowed to drive through the CVS lot, and
 - any other easements or rights of way.
- The bicycle parking numbers are wrong; the requirement is for at least one long-term space, which must be inside, and two short-term spaces, which must be outside, preferably in front of the building for the use of people patronizing the business(es) in the office space. If the project meets the specific criteria that would allow for the bicycle parking spaces not to be in the front, there must be a sign directing cyclists where to park. The indoor bicycle parking space cannot require a bicycle to be carried up or down stairs. There also needs to be direct access to the bicycle parking spaces without going through the CVS lot.
- The application says “Not Applicable” for the open space requirement, which is not correct.
- The bylaw requires that applicants provide information on how they calculated the Floor Area Ratio (FAR) and the Gross Floor Area (GFA), neither of which were provided with the application. As he reads the bylaw, the FAR and GFA must include the CVS building as well as the proposed building, because they are part of the same parcel.
- The application says that eight parking spaces are required, but only three are required.

Mr. Benson said that there needs to be a walkway around the building, so that residents and visitors who are on foot don't have to walk through the CVS parking lot to access the residential units.

Mr. Benson said that he wants more information about the office rental market. He wants to know that there is actually a market for this sort of office space, because the Board does not want to approve a project with office space that sits empty.

Mr. Benson said that the Board has gotten a lot of emails about the Scotch pine tree in front of the building. He asked if the Tree Warden gave them any information about the health of the tree. Mr. Rojas said that the Tree Warden did not think that it was a valuable tree. A certified arborist also looked at it and said that it's not in great physical condition. It creates year-round shade, which is not good in the winter, particularly over the church's courtyard. The Tree Warden agreed with the applicant's removal plan. Mr. Benson said that he would like to have the Tree Warden assess the health of the tree. He noted that the tree casts no shade on the sidewalk or Mass Ave, at least in the summer, so it does not help mitigate heat island effects. He asked if it would be possible to push the building back enough to save the tree, perhaps by eliminating the four parking spaces immediately behind the building. Mr. Rojas replied that they are trying to build closer to Mass Ave in order to help activate the streetscape.

Mr. Revilak said that he agreed with the idea of providing a walkway from the front to the back. He encouraged the applicant to review Section 6.1.12 of the Zoning Bylaw, regarding the requirements for bicycle parking spaces. He also said that 10 parking spaces seems like much more than necessary for two offices and three residential units, and he would prefer that the number be reduced.

Mr. Revilak asked where the signage for the commercial spaces would go, since there is no sign band. Mr. Rojas said that office space requires less signage than retail, and they think it would primarily be window signage.

The Chair asked where the mechanical units and venting would be. Mr. Rojas said that would be shown on future plans.

The Chair said that window signage may not be enough, particularly with glare. Even for office space, in order for customers to find the space, it is useful to have signage affixed to the building, and she would encourage the applicant to consider other options.

The Chair asked for further clarification about the siding materials. Mr. Rojas said that they are considering aluminum-clad insulated panels and composite panels. The Chair said that in determining what they intend to use, they should consider the building's location between the stone church on one side and the brick façade of CVS on the other.

The Chair asked if the office tenants and the residential tenants would all be using the dumpster enclosure in the back. Mr. Rojas said that the residential tenants would have their own trash area. The Chair said that that area should be shown on the plans.

The Chair noted that the plans include one new shade tree along the sidewalk. Given that the parcel includes CVS, she would like the plans to meet the bylaw requirements for a shade tree every 25 feet for the entire site, not just in front of 821 Mass Ave.

Mr. Lau said that he would like to see plans that include railings or parapets for the roof decks, so that it's possible to visualize what it will look like from the street.

The Chair opened the floor to public comment:

- John Rogers, Gray Street – He's been a member of the church next to 821 Mass Ave for 49 years. He thanked Mr. Noyes and Mr. Rojas for designing a three-story building, rather than the five stories allowed. He thinks the building will fit in well as planned. He asked if there would be a solid buffer between the property and the church, as it is common for people to walk back and forth between the church and its parking lot and CVS. There is a fence on the property, but it has fallen down, and the church has been unable to get a response from the Noyes family as far as repairing the fence.
- Susan Stamps, 39 Grafton Street – She is speaking on behalf of the Tree Committee. The Committee would like to save the Scotch pine, perhaps by moving the house slightly to the left. Large trees absorb a huge amount of carbon. She would like to know how stormwater on the site would be affected if the tree and its huge root system were to be removed. She also mentioned the bylaw requirements for a shade tree every 25 feet. The Tree Committee would like the Board to require that any trees planted be large shade trees. She would like to know what the Tree Warden has to say about the health of the tree. The Committee would also like to ask that the Town's Tree Construction Guidelines be incorporated into the Special Permit.
- Wynelle Evans, Orchard Place – She would like to see the building pushed back, so that it is more in line with the façade of the church minus the porch. That would create more open space and green space on the site. The original Special Permit says that in order for the building to be demolished, that permit must be amended, but this hearing is for an entirely new Special Permit.
- Aram Hollman, 12 Whittemore Street – An earlier plan for this space had seven residential units, but this one only has three. Arlington needs more affordable housing, but based on the square footage of the three proposed units, they will all be expensive. He would like to see the plans include six or seven units, which would have to include one affordable unit.
- Marina Popova, 255 Ridge Street – She wants to see the 100-year-old Scotch pine tree saved. Arlington has very few trees that old. She would like to see the historic house saved as well, but she understands that may not be possible. But the tree can be saved. The plans proposed in 2020 preserved the tree. The plans could include the tree in a courtyard; the building could be moved to the left; or other options for preserving the tree could be considered. She created a petition about the tree, and in less than four days, it has gotten over 300 signatures, so she hopes the Board will take that into account. The full length of the parcel is 291 feet long, which means that the bylaw requires 12 street trees.
- Cheryl Vossmer, Peck Ave – She is a lifelong Arlington resident. She appreciates that applicant's attention to making sure that the new building's shadow does not overshadow the church. If the tree cannot be saved, she would like it to somehow be made available to members of the community. It is a part of the history of the Town and should be given back to the community. She would also like the parking to include a charging station for electric vehicles.

- Karen Fanale, Brattle Street – She is concerned about the plan to cut down seven trees for this project. She is concerned that the landscape of the Town is changing for more and more development and fewer trees. For a replanted tree to grow to full size takes decades; it is preferable not to cut trees down in the first place. The historic appeal of the Town is disappearing. Trees are important, for shade, for aesthetic value, for wildlife. She would rather live next to a tree than commercial space.
- Anton Rapidov, 458 Mass Ave – He supports the project because there is such a need for housing. He would like to see it built higher, but he understands that there are concerns with the church. He would like to make sure that it will use electricity and not gas.

Seeing no one else who wished to speak, the Chair closed public comment.

The Chair asked the applicant to clarify what the buffer between the property and the church would be. Mr. Rojas replied that the front portion of the property does not currently have any kind of buffer. The plans do not include a fence or other solid buffer, but they will enhance the boundary via landscaping. The land behind the building is part of the CVS leasehold, so this project will not be dealing with a fence or other buffer on that part of the property. Questions about that would have to be directed to the property owner. The Chair said that because 821 Mass Ave and CVS are all on one parcel, the Board may make it a condition of this permit that the fence be adequately maintained.

In order to address questions about the building being moved back, the Chair asked the applicant to clarify the buildable lot line for this subdivision. Mr. Rojas said that the line is at the back of the parking spaces directly behind the building, so the development could only be pushed back to that line.

Mr. Rojas said that they will come back with more information about all the mechanical and appliance questions, but they do intend to make it as sustainable as possible.

The Chair noted that the front façade of the proposed building is roughly in line with the CVS, which she thinks makes sense. Mr. Benson said that he would like more information about the health of the Scotch pine before discussing whether the building should be moved. He noted that if the adjacent parking spaces are eliminated, the building could potentially be pushed back to cover those spaces, which may or may not be enough to save the tree. Mr. Rojas noted that they'll also need space for trash in the back. He also noted a full basement is planned, so the impact of that excavation and construction may not allow for saving the tree.

Several Board members expressed concern about the health of the tree, given that it has a lot of brown foliage. They all agreed that they need to hear the assessment of the Tree Warden.

Mr. Revilak said that he would prefer moving the building forward, closer to the sidewalk. Ms. Korman-Houston agreed. Mr. Lau said that he feels strongly that the building should be left at the proposed location or moved closer to the street, not moved back.

Ms. Korman-Houston asked about the four red cedars that are planned to be removed. Mr. Rojas said that they're in very bad shape.

Mr. Lau noted that the owner has offered the house to anyone who wants to preserve it by moving it to a different location, but no one has taken him up on it. Mr. Lau does not want to sacrifice the opportunity to activate the streetscape in order to save the house or the tree. His priority is creating a vibrant streetscape where people want to live and walk.

Mr. Revilak said that he would prefer to see the four parking spaces directly behind the building turned into open space or green space of some sort. Mr. Rojas said that his firm also does landscape architecture, and they will look into that.

The Chair summarized the materials that the applicant needs to provide before the next meeting:

- Shadow study comparing three-story to five-story development
- Site plan with dimensions, showing how far the building is from the church
- Solar assessment, showing 50% of the roof with solar, unless the assessment shows that they meet one of the conditions appropriate for a waiver
- Plans for marketing the office space

- CVS lease excerpts regarding retail restrictions, leasehold lines, and easements to access parking through CVS parking
- Plans for short- and long-term bicycle parking that meet bylaw requirements
- Revised plans for landscaped open space that meet bylaw requirements
- FAR and GFA calculations, including the CVS building
- Plans for a walkway from the front to the rear of the site
- Letter from the Tree Warden
- Plans including at least one shade tree every 25 feet along the entire length of the site
- Plans showing the location of the mechanical units, venting, and trash enclosures, ensuring that anything on the roof works with the solar panels and planned roof access for tenants
- Plans for signage for commercial tenants
- Consideration of an EV-charging station
- Renderings including railings for the roof decks
- Lighting plan and fixtures
- Photos of existing conditions
- Drawings including context of existing streetscape
- Façade materials and color samples
- LEED checklist
- Stormwater report and plan.

Ms. Ricker will coordinate a site visit with the Tree Warden.

Mr. Rojas noted that they have been waiting to have their civil engineer do a stormwater report until they have a clearer idea of the exact size and configuration of the building. The Chair said that the Board likes to see a site drainage plan. The actual stormwater management plan will be done through DPW. The Board doesn't need all the final details, but they want to see that there is a plan to prevent stormwater from leaving the site.

Mr. Lau said that he wants the applicant to look at expanding the front elevation on the lower floor, to create more flexibility with the office space on the first floor.

The Chair said that they need to look at how the fence between the rear parking lot and the church will be maintained.

Mr. Rojas asked for clarification about the LEED checklist, given that LEED certification is not required. The Chair said that they are required to employ strategies that would meet LEED silver requirements, and the point system in the checklist is used to evaluate that.

Mr. Revilak pointed out that in the Business Districts, the open space requirement is 15% of lot area (not gross floor area as in residential districts).

The Board members and the applicants agreed to continue the hearing to September 23, 2024. Ms. Ricker said that all materials should be submitted by September 9, two weeks prior to the meeting.

The Chair asked for a motion to continue the hearing for Docket #3798 to September 23, 2024. Mr. Lau so moved, Mr. Benson seconded, and the Board approved unanimously.

The Chair moved to **Agenda Item 2 – Open Forum.**

The Chair opened the floor for public comment.

- Marina Popova, 255 Ridge Street – She said that the building proposed at 821 Mass Ave could be moved left, closer to CVS, in order to save the Scotch pine, as the original proposal from 2020 planned.

Seeing no one else who wished to speak, the Chair closed public comment.

The Chair moved to **Agenda Item 3 – New Business.**

Ms. Ricker reported that the Town received final approval from the Attorney General's Office on Article 12 from Fall 2023 Special Town Meeting and Article 3 from Spring 2024 Special Town Meeting. The zoning has been approved and accepted. The Town Clerk will advertise it in the local newspaper on July 11 and July 18, the zoning will become valid on July 18, 2024, and the bylaw will be updated.

The Chair said that the Select Board asked the Redevelopment Board to consider an additional meeting date of September 16 for a joint meeting. The other Board members and Ms. Ricker all said they were available. The Select Board would like an update on vacant storefronts at that meeting.

Mr. Revilak reviewed Arlington's FY2024 Public Annual Financial Report (PAFR). It compares Arlington to statewide averages and more specifically to 12 similar communities. Arlington had 0.8% new growth, making it last compared to the 12 similar communities listed in the report, and it was the 5th year in a row that Arlington was last.

Mr. Benson reported that he met with David Morgan, Environmental Planner and Conservation Agent, about rezoning open spaces, and they hope to have a plan ready to present to the Board in the late fall.

The Chair asked for a motion to adjourn. Mr. Lau so moved, and Mr. Benson seconded. The Board voted and approved unanimously.

Meeting **Adjourned at 9:10 pm.**



Town of Arlington, Massachusetts

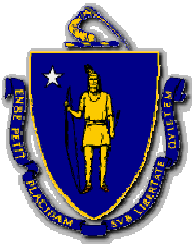
Discussion of 1500 Massachusetts Avenue

Summary:

7:40 pm The Board will discuss issues concerning the construction of the building at 1500 Mass Ave.

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	1500_Mass_Ave_-_AAB-Amendment_Signed_240430_(002).pdf	1500 Mass Ave - AAB-Amendment_Signed 240430 (002)
▢ Reference Material	240528_1500_Mass_Ave_-_Unit_Layout_Diagram_-_Revised_(002).pdf	240528 1500 Mass Ave - Unit Layout Diagram - Revised (002)
▢ Reference Material	Approved_Plan_Set_EDR_Submission_Materials_.pdf	Approved Plan Set EDR Submission Materials_
▢ Reference Material	ARB_Recorded_Decision.pdf	ARB_Recorded Decision
▢ Reference Material	Mixed_Use_Building_1500_Massachusetts_Avenue_Arlington_(V23-155)_-_Amended_Notice_of_Action.pdf	Mixed Use Building 1500 Massachusetts Avenue Arlington (V23-155) - Amended Notice of Action



**Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
Architectural Access Board**

1000 Washington St., Suite 710 • Boston • MA • 02118
V: 617-727-0660 • www.mass.gov/aab

Docket Number

(Office Use Only)

AMENDED APPLICATION FOR VARIANCE

INSTRUCTIONS:

- 1) Answer all questions on this application to the best of your ability.
 - a. Information on the Variance Process can be found at:
<https://www.mass.gov/guides/applying-for-an-aab-variance>.
- 2) Attach whatever documents you feel are necessary to meet the standard of impracticability laid out in 521 CMR 4.1. You must show that either:
 - a. Compliance is technologically infeasible, or
 - b. Compliance would result in an excessive and unreasonable cost without any substantial benefit for persons with disabilities.
- 3) Sign the certification on Page 6.
- 4) Serve copies of the completed application and all attachments via electronic or physical delivery based on the recipient's preference to:
 - a. Local Building Department,
 - b. Local Commission on Disability (if applicable in the town where the project is located) (A list of all active Disability Commissions can be found at: <https://www.mass.gov/commissions-on-disability>), and
 - c. The Independent Living Center (ILC) for your area.
(Your ILC can be found at: <http://www.masilc.org/findacenter>.)
- 5) Complete the Service Notice included with the Application and sign it.
- 6) Deliver the completed Application and all attachments to the Board via electronic or physical delivery:
 - a. Electronic:
 - i. Applications should be sent via email to william.joyce@mass.gov & molly.griffin@mass.gov.
 - ii. The email submission must have the subject line: Variance Amendment - <Docket Number>
 - iii. The application and all attachments must be in .pdf format
 - iv. The application and all attachments should be included in a single email, except where that email would exceed 15 megabytes in size.
 - b. Physical
 - i. Applications should be sent to the mailing address listed above and must include:
 1. The completed application and all attachments.
 2. A copy of the application and all attachments on a CD/DVD (Thumb Drives will not be accepted),
 3. The completed and signed Service Notice.
 - ii. Please ensure that all documents included are no larger than 11" x 17".
 - iii. Incomplete applications will be returned via regular mail to the applicant with an explanation as why it was unable to be docketed.

In accordance with M.G.L., c.22, § 13A, I hereby apply for modification of or substitution for the rules and regulations of the Architectural Access Board as they apply to the building/facility described below on the grounds that literal compliance with the Board's regulations is impracticable in my case.

1. State the name and address of the building/facility:

1500 Massachusetts Ave, Arlington MA, 02476

2. What is the docket number of the existing variance V 23 - 155

3. Briefly describe the extent and nature of the new work performed or to be performed since your original application (use additional sheets if necessary):

1. The ground floor office space will be reduced, and a Group 1 compliant dwelling unit will be added back into the project.
2. Additional open space will be added at the side yard of the building. This open space will be accessed from the front of the building and will be located on an accessible route.

**see attachments for more information

4. a. Has the Board's Jurisdiction changed since your original application: Yes ☐ No ☒

b. If Yes, which section of the Board's Jurisdiction (see *Section 3 of the Board's Regulations*) has now been triggered?

2.6 ☐ 3.2 ☐ 3.3.1(a) ☐ 3.3.1(b) ☐ 3.3.2 ☐ 3.3.4 ☐ 3.4 ☐

5. List **all** building permits that have been applied for since the date of your original application or last amendment, include the issue date and the listed value of the work performed:

Permit #

Date of Issuance

Value of Work

(Use additional sheets if necessary.)

6. List the anticipated construction cost for any new work not yet permitted:

7. For existing buildings, state the current actual assessed valuation of the **BUILDING ONLY**, as recorded in the **Assessor's Office** of the municipality in which the building is located:

Is the assessment at 100%? _____

If not, what is the town's current assessment ratio? 0.00%

8. State the phase of design or construction of the facility as of the date of this application:

Construction is approx. 80% complete / final stage

9.

<p>Request #1</p> <p>Section(s) for which you are seeking relief: <u>n/a</u></p> <p>Are you seeking temporary relief <input type="radio"/> Yes <input checked="" type="radio"/> No</p> <p>If yes, when do you propose to be in compliance by: _____</p> <p>Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):</p> <div style="border: 1px solid black; padding: 5px; min-height: 150px;"><p>Relief on request #1 from the original application submission is no longer required. See description / markups attached.</p></div>	<p>Types of Attachments for this Request:</p> <p><input type="checkbox"/> Floor/Site Plans, <input type="checkbox"/> Cost Estimates,</p> <p><input type="checkbox"/> Photographs, <input type="checkbox"/> Test Drawings,</p> <p><input type="checkbox"/> Other(s): _____</p>
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<p>Request #2</p> <p>Section(s) for which you are seeking relief: <u>10.2</u></p> <p>Are you seeking temporary relief <input type="radio"/> Yes <input checked="" type="radio"/> No</p> <p>If yes, when do you propose to be in compliance by: _____</p> <p>Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):</p> <div style="border: 1px solid black; padding: 5px; min-height: 150px;"><p>Relief on Request #2 is being amended. See description / markups attached, as well as supporting materials from original variance application submission.</p></div>	<p>Types of Attachments for this Request:</p> <p><input checked="" type="checkbox"/> Floor/Site Plans, <input type="checkbox"/> Cost Estimates,</p> <p><input type="checkbox"/> Photographs, <input type="checkbox"/> Test Drawings,</p> <p><input type="checkbox"/> Other(s): _____</p>
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Request #3

Section(s) for which you are seeking relief: _____

Are you seeking temporary relief ☐ Yes ☐ No

If yes, when do you propose to be in compliance by: _____

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

Types of Attachments for this Request:

☐ Floor/Site Plans, ☐ Cost Estimates,
☐ Photographs, ☐ Test Drawings,
☐ Other(s): _____

Request #4

Section(s) for which you are seeking relief: _____

Are you seeking temporary relief ☐ Yes ☐ No

If yes, when do you propose to be in compliance by: _____

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

Types of Attachments for this Request:

☐ Floor/Site Plans, ☐ Cost Estimates,
☐ Photographs, ☐ Test Drawings,
☐ Other(s): _____

If you require more than 4 requests, please use the *Additional Request Sheet* and complete the *Large Variance Tally Sheet*, both of which are available on the “Forms and Applications” page of the Board’s website (<http://www.mass.gov/aab>).

I DECLARE UNDER THE PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS APPLICATION AND SUPPORTING DOCUMENTATION IS TRUE AND CORRECT

Date: 4/30/24

W.F. Lee

Digitally signed by William Lee
DN: G=US, E=william@mfd-s-bos.com, O=Monte French Design Studio, CN=William Lee
Contact Info: william@mfd-s-bos.com
Date: 2024.04.30 14:59:10-04'00'

Signature of owner or authorized agent (*required*)

PLEASE PRINT:

William Lee

Name

Monte French Design Studio

Organization (If Applicable)

650 Columbus Ave

Address

Suite A

Address 2 (optional)

Boston, MA 02118

City/Town

State

Zip Code

william@mfd-s-bos.com

E-mail

(617) 865-9282

Telephone

SERVICE NOTICE

I, William Lee, as Architect
(Name) (Relationship to the applicant)

HEREBY CERTIFY UNDER THE PAINS AND PENALTIES OF PERJURY THAT I SERVED OR CAUSED TO BE SERVED, A COPY OF THIS VARIANCE APPLICATION ON THE FOLLOWING PERSON(S) IN THE FOLLOWING MANNER:

<u>NAME AND ADDRESS OF PERSON OR AGENCY SERVED</u>		<u>METHOD OF SERVICE</u>	<u>DATE OF SERVICE</u>
1 Building Department	Mike Ciampa, Inspectional Services 51 Grove St, Floor 1 Arlington, MA, 02476	e-mail	7/24/23
2 Local Commission on Disability (If Applicable)	Christine Bongiorno, Director/COD Contact, HHS/Commission on Disability, 27 Maple St, Arlington MA 02476	e-mail	7/24/23
3 Independent Living Center	Bill Henning, Executive Director, Boston Center for Independent Living 60 Temple Place, 5th Floor, Boston, MA 02111	e-mail	7/24/23



Digitally signed by William Lee
DN: C=US, E=william@mids-bos.com, O=Monte French Design
Studio, CN=William Lee
Contact Info: william@mids-bos.com
Date: 2024.04.30 15:01:33-04'00'

Signature

4/30/24

Date

April 30, 2024

Architectural Access Board
1000 Washington St., Suite 710
Boston, MA 02118

Letter of Authorization

I, Darin DiNucci, owner of 1500 Mass Ave in Arlington MA, hereby authorize Monte French Design Studio to submit the attached Architectural Access Board amended variance application on my behalf.

Sincerely,

A handwritten signature in black ink, appearing to read 'Darin DiNucci', written in a cursive style.

Darin DiNucci



July 24, 2023

Architectural Access Board
1000 Washington St., Suite 710
Boston, MA 02118

Request #1 – Description

During the Arlington Redevelopment Board (ARB) review process for this project, there was a submission made that included a ground floor accessible unit. This was rejected by the ARB, and it was insisted that the ground floor accessible unit be changed to office space. It was stated by the ARB that the ground floor accessible unit was not required, and it was preferred as office space instead. It was stated that the project was unlikely to receive approval if the accessible unit was not changed to office space. The project was revised to change the ground floor residential unit into office space as requested, and the project was submitted & approved by the ARB.

Changing the ground floor entirely to residential to avoid the office space increase requested by the ARB was not an option either, as it would have violated the Arlington Zoning Bylaws. 'Mixed Use' is allowed with a special permit in the 'B1: Neighborhood Office' zoning district for this project, however apartment buildings (4+ units) are not allowed.

~~Relief is being requested on the requirement of Group 1 compliance for the residential units on the 2nd floor, which is considered the 'Ground Floor' as defined in 521 CMR Section 5.1.~~

Attachments

- 1A - ARB e-mail correspondence
- 1B - Materials from ARB submission w/ accessible ground floor unit (not approved)
- 1C - Presentation from ARB submission w/ accessible ground floor unit (not approved)
- 1D - Official ARB meeting minutes from Town Meeting (submission not approved)
- 1E - Use Regulation chart for business districts

Sincerely,

Monte French

The ground floor office space will be reduced, and a Group 1 compliant dwelling unit will be added back into the project for compliance on sections 5.1 & 9.3 (relief on Request #1 no longer required).

****Note: contingent on ARB approval****



July 24, 2023

Architectural Access Board
1000 Washington St., Suite 710
Boston, MA 02118

Request #2 – Description

Residential parking is being provided at the rear of the building. The existing site conditions presented a significant increase in elevation from the front to the rear of the property. The original project submission approved by the ARB had the rear parking level elevation 2'-0" higher than the elevation at the front of the building (driveway slope of 1/2":12"), which would be achieved by retaining walls up to 12'-4" tall measured from the parking level.

During exploratory test pits/borings by the site civil engineers, there was a significant amount of ledge discovered above the intended parking level. It was also discovered that the existing retaining walls did not have footings and were not suitable for shoring or retaining during the installation of the new retaining walls. Due to these discoveries, there was a serious concern for maintaining the structural integrity of the surrounding structures on abutting properties. To resolve this issue, the parking level was raised an additional 4'-9" and the rear retaining wall was shifted further into the site.

~~Relief is being requested on the requirement of accessible parking, van parking & accessible route to parking due to limitations resulting from site conditions.~~

Relief is being requested on an accessible route to rear parking / rear open space areas due to limitations resulting from site conditions.

Attachments

- 2A - Site Plan & Section from initial ARB approval
- 2B - Site Photographs after existing structure was demolished
- 2C - Geotech Report
- 2D - Amended Site Plan & Section
- 2E - Email correspondence with ARB after Geotech report was received
- 2F - ARB Approval letter for amendments

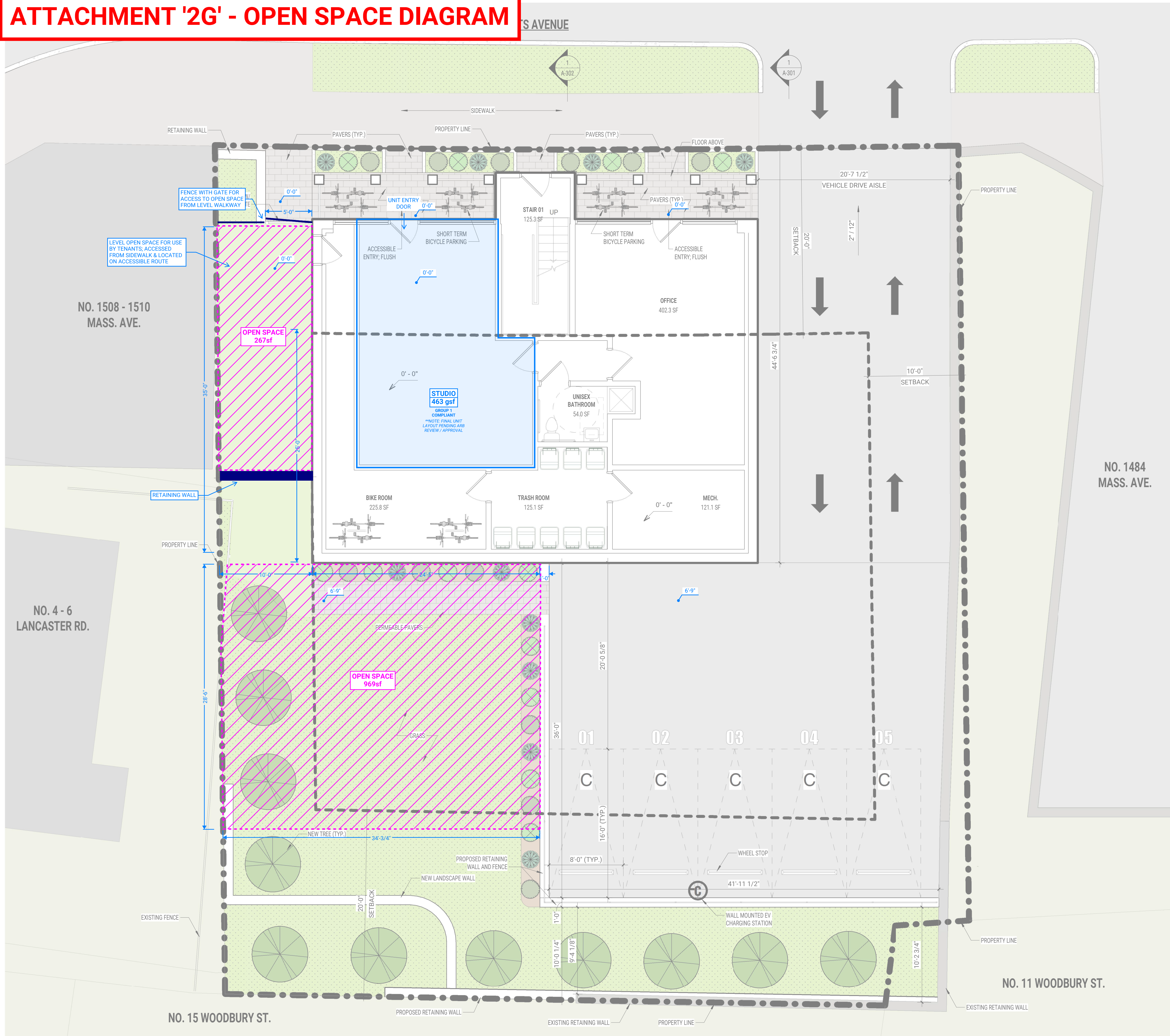
2G - Open Space Diagram

Sincerely,

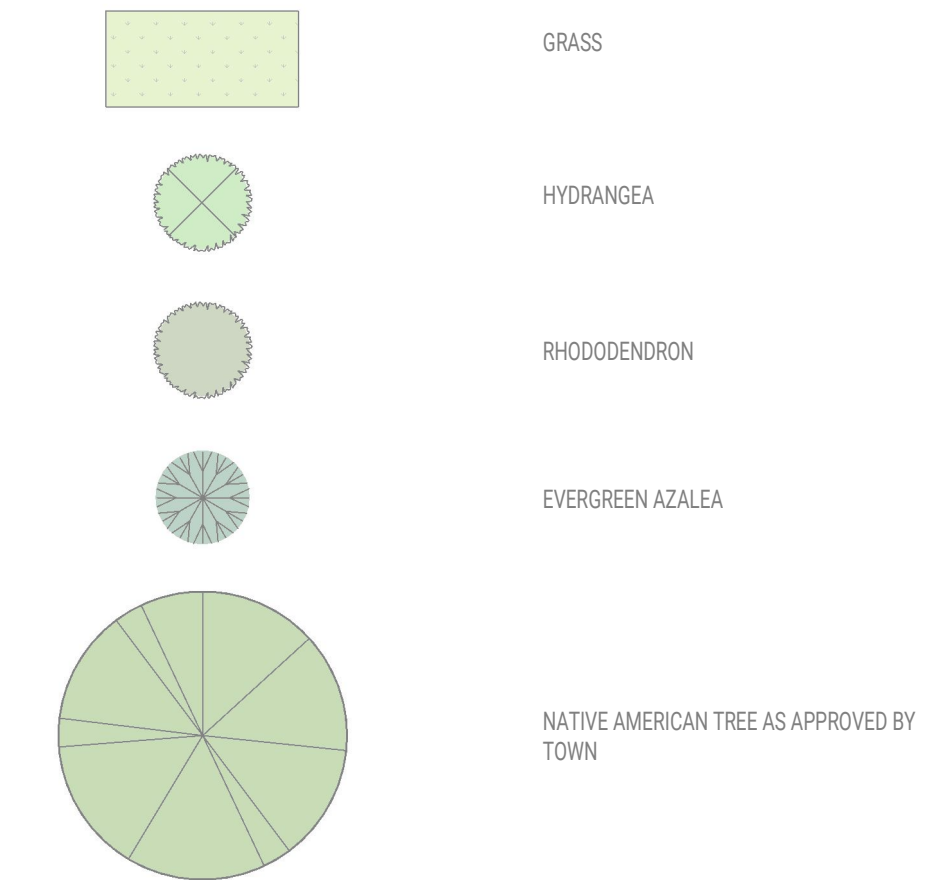
Monte French

Due to the number of parking spaces provided (spaces are not deeded to dwelling units), an accessible parking space is not required. The open space at the rear of the building will be accessed from the parking area. Due to site limitations preventing an accessible route from the front of the building to the rear parking/open space area, additional open space is being proposed at the side yard of the building. This additional open space will be located on an accessible route accessed from the front of the building. See '2G' attachment for proposed open space diagram. **Note: contingent on ARB approval**

ATTACHMENT '2G' - OPEN SPACE DIAGRAM



PLANTING LEGEND



**MF
DS
A+P**

MONTE FRENCH DESIGN STUDIO (MFDS)
150 COLUMBUS AVE, STE. A
BOSTON MA, 02118
P: 617-606-4496
WWW.MFDS-BOS.COM

CONSULTANTS:

ISSUE FOR PERMIT

ARK: DATE: DESCRIPTION:

SUE LOG:

PROJECT NAME:
500
Massachusetts
Ave

ADDRESS:
600 Massachusetts Ave, Arlington MA

DATE ISSUED: 4/15/2022
PROJECT #: 19018
SCALE: As indicated
DRAWN BY: EAD

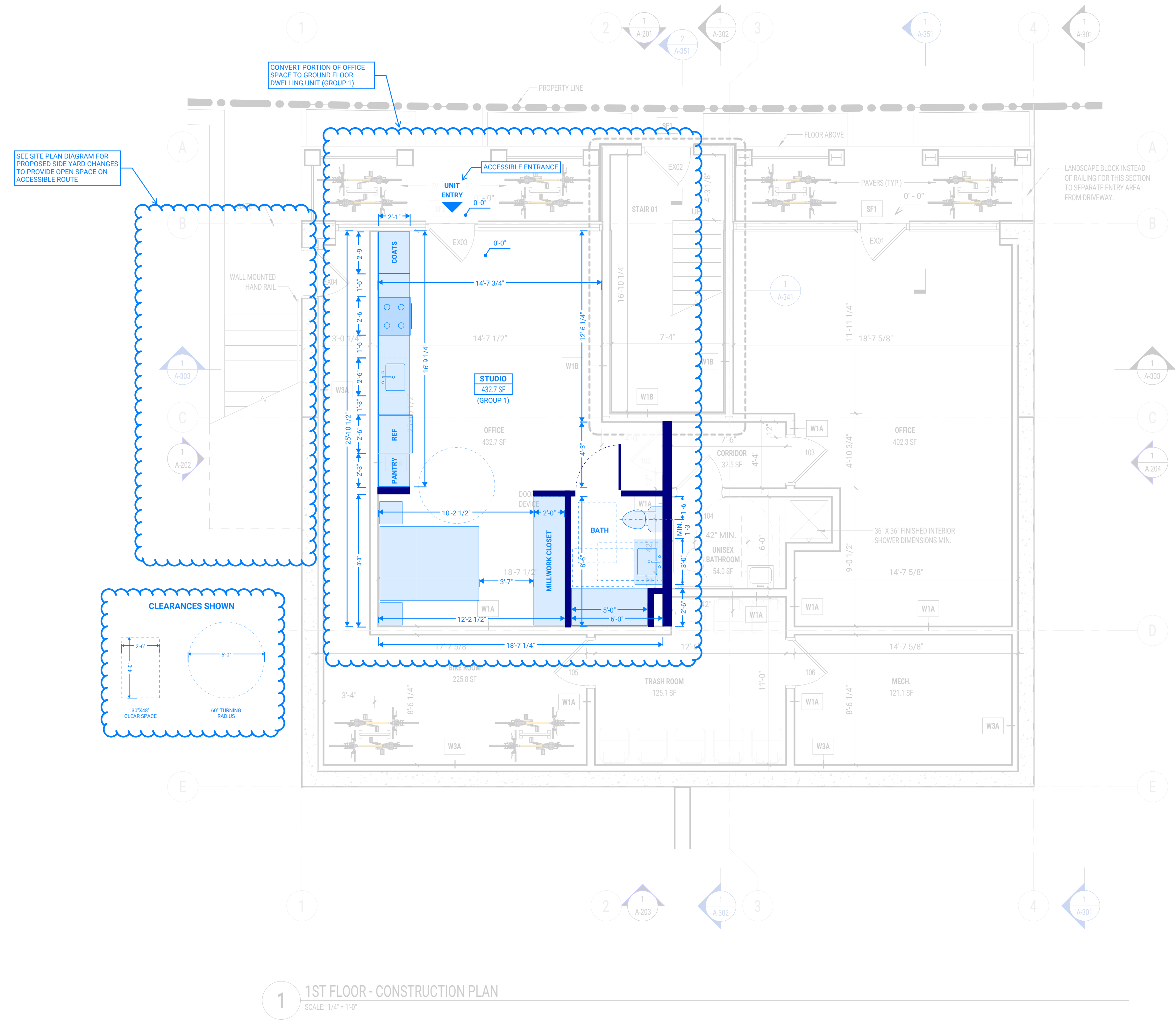
ARCHITECTURAL SITE PLAN

AS101

GROUND FLOOR DWELLING UNIT DIAGRAM

5/15/24 NOA RESPONSE: ATTACHMENT 'A'

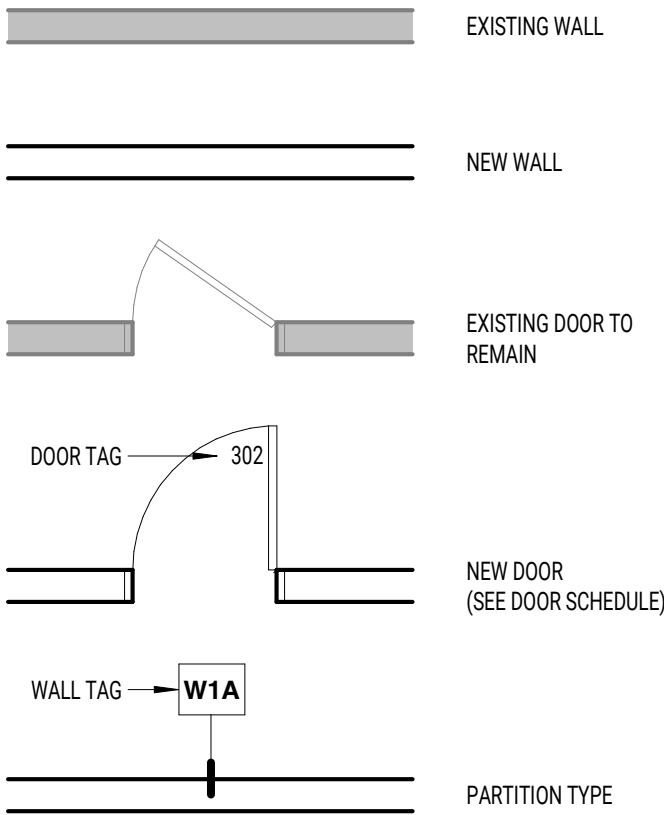
GROUND FLOOR



CONSTRUCTION PLAN GENERAL NOTES

- 1.1.G.C. TO REFER TO ALL DRAWINGS AND OTHER DOCUMENTS TO DETERMINE AND DEVELOP SEQUENCING, PHASING, AND DEMOLITION PROCEDURES FOR OWNER REVIEW AND APPROVAL PRIOR TO PROCEEDING WITH DEMOLITION.
2. NOTIFY THE ARCHITECT OF ANY UNEXPECTED FIELD CONDITIONS PRIOR TO PROCEEDING.
3. THESE CONSTRUCTION DRAWINGS HAVE BEEN COMPILED FROM AVAILABLE INFORMATION AND ARE NOT INTENDED TO LIMIT THE SCOPE OF WORK. THE CONTRACTOR MAY ENCOUNTER HIDDEN OR UNCOVER CONDITIONS, NOT SHOWN ON THESE DRAWINGS, REQUIRING ADDITIONAL WORK FOR THE COMPLETION OF THIS CONTRACT. SEE ALSO OTHER DRAWINGS AND SPECIFICATIONS, INCLUDING BUT NOT LIMITED TO THE ARCHITECTURAL, STRUCTURAL, MEPPF, WHICH MAY ENCOMPASS FURTHER WORK REQUIRING DEMOLITION AND REMOVAL AND WHICH ARE HEREBY INCLUDED UNDER THIS CONTRACT. IT WILL BE ASSUMED THAT THE CONTRACTOR HAS INSPECTED THE SITE PRIOR TO PROCEEDING AND VERIFIED THE INFORMATION HEREIN SUPPLIED.
4. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR ACCURACY OF EXISTING CONDITIONS. G.C. TO VERIFY, RECORD & COORDINATE ALL EXISTING ARCHITECTURAL, STRUCTURAL, MECHANICAL, ELECTRICAL, PLUMBING, FIRE PROTECTION, TELE DATA & SECURITY SYSTEMS.
5. ALL FURNITURE SHOWN IS INCLUDED FOR COORDINATION PURPOSES ONLY AND IS NOT INCLUDED IN CONTRACT, U.O.N.

CONSTRUCTION PLAN LEGEND



MONTE FRENCH DESIGN STUDIO (MFDS)
650 COLUMBUS AVE, STE. A
BOSTON MA, 02118
T: 617-606-4496
WWW.MFDS-BDS.COM

CONSULTANTS:

ISSUE FOR PERMIT

MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 4/15/2022
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

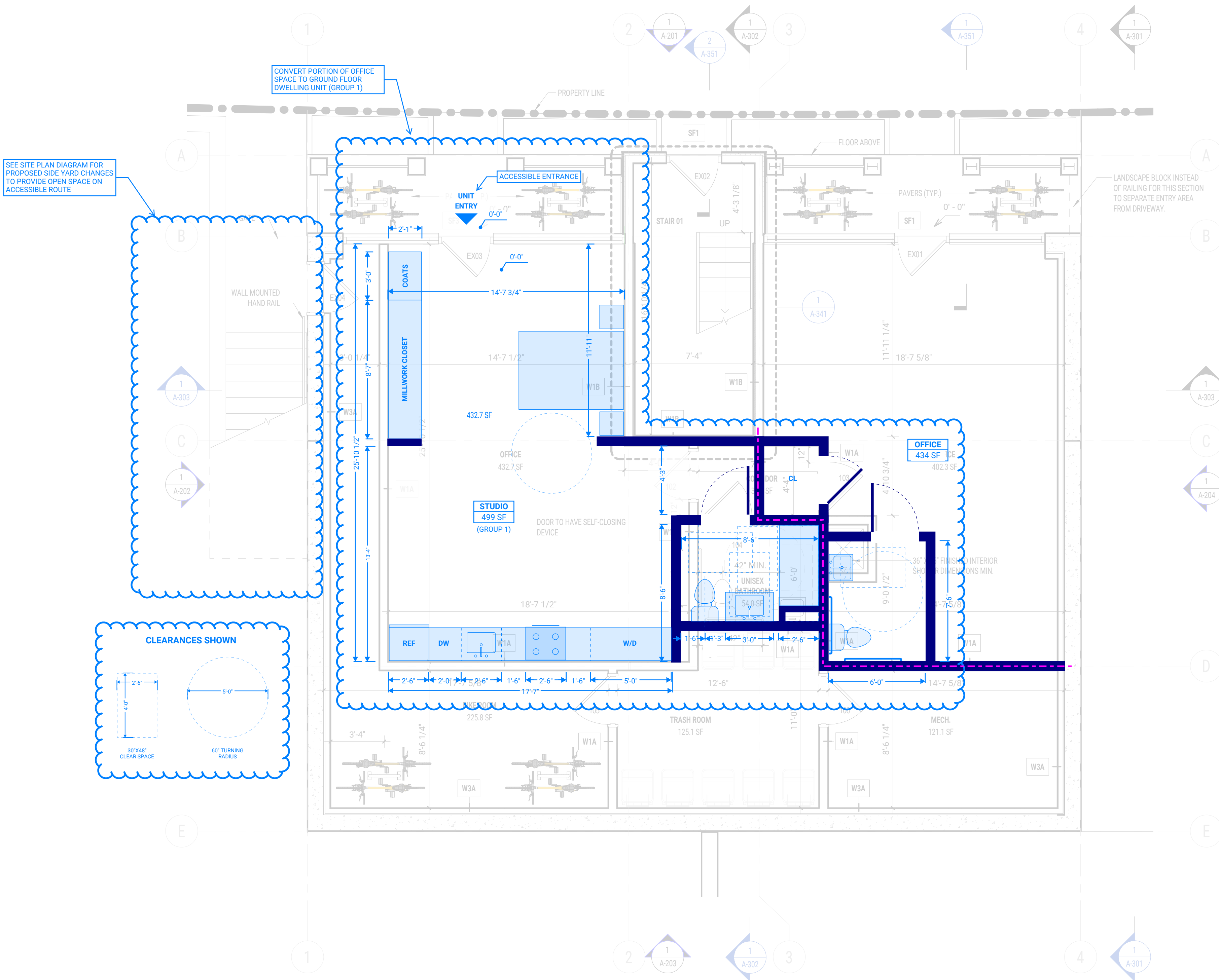
1ST FLOOR CONSTRUCTION
PLAN

A-102

GROUND FLOOR DWELLING UNIT DIAGRAM

5/28/24 - UPDATED LAYOUT

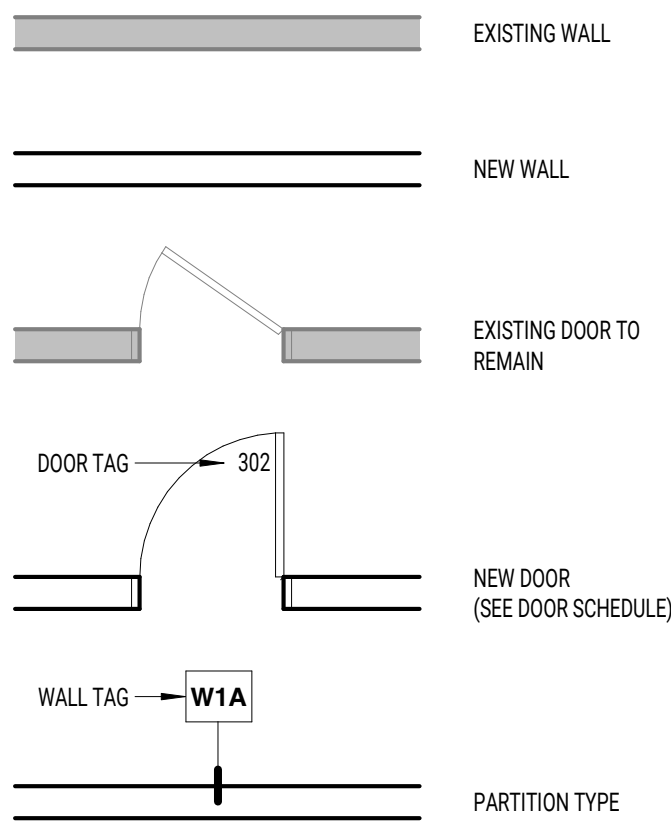
GROUND FLOOR



CONSTRUCTION PLAN GENERAL NOTES

1. I.G.C. TO REFER TO ALL DRAWINGS AND OTHER DOCUMENTS TO DETERMINE AND DEVELOP SEQUENCING, PHASING, AND DEMOLITION PROCEDURES FOR OWNER REVIEW AND APPROVAL PRIOR TO PROCEEDING WITH DEMOLITION.
2. NOTIFY THE ARCHITECT OF ANY UNEXPECTED FIELD CONDITIONS PRIOR TO PROCEEDING.
3. THESE CONSTRUCTION DRAWINGS HAVE BEEN COMPILED FROM AVAILABLE INFORMATION AND ARE NOT INTENDED TO LIMIT THE SCOPE OF WORK. THE CONTRACTOR MAY ENCOUNTER HIDDEN OR UNCOVER CONDITIONS, NOT SHOWN ON THESE DRAWINGS, REQUIRING ADDITIONAL WORK FOR THE COMPLETION OF THIS CONTRACT. SEE ALSO OTHER DRAWINGS AND SPECIFICATIONS, INCLUDING BUT NOT LIMITED TO THE ARCHITECTURAL, STRUCTURAL, MEPPF, WHICH MAY ENCOMPASS FURTHER WORK REQUIRING DEMOLITION AND REMOVAL AND WHICH ARE HEREBY INCLUDED UNDER THIS CONTRACT. IT WILL BE ASSUMED THAT THE CONTRACTOR HAS INSPECTED THE SITE PRIOR TO PROCEEDING AND VERIFIED THE INFORMATION HEREIN SUPPLIED.
4. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR ACCURACY OF EXISTING CONDITIONS. G.C. TO VERIFY, RECORD & COORDINATE ALL EXISTING ARCHITECTURAL, STRUCTURAL, MECHANICAL, ELECTRICAL, PLUMBING, FIRE PROTECTION, TELE DATA & SECURITY SYSTEMS.
5. ALL FURNITURE SHOWN IS INCLUDED FOR COORDINATION PURPOSES ONLY AND IS NOT INCLUDED IN CONTRACT, U.O.N.

CONSTRUCTION PLAN LEGEND



MONTE FRENCH DESIGN STUDIO (MFDS)
650 COLUMBUS AVE, STE. A
BOSTON MA, 02118
T: 617-606-4496
WWW.MFDS-BDS.COM

CONSULTANTS:

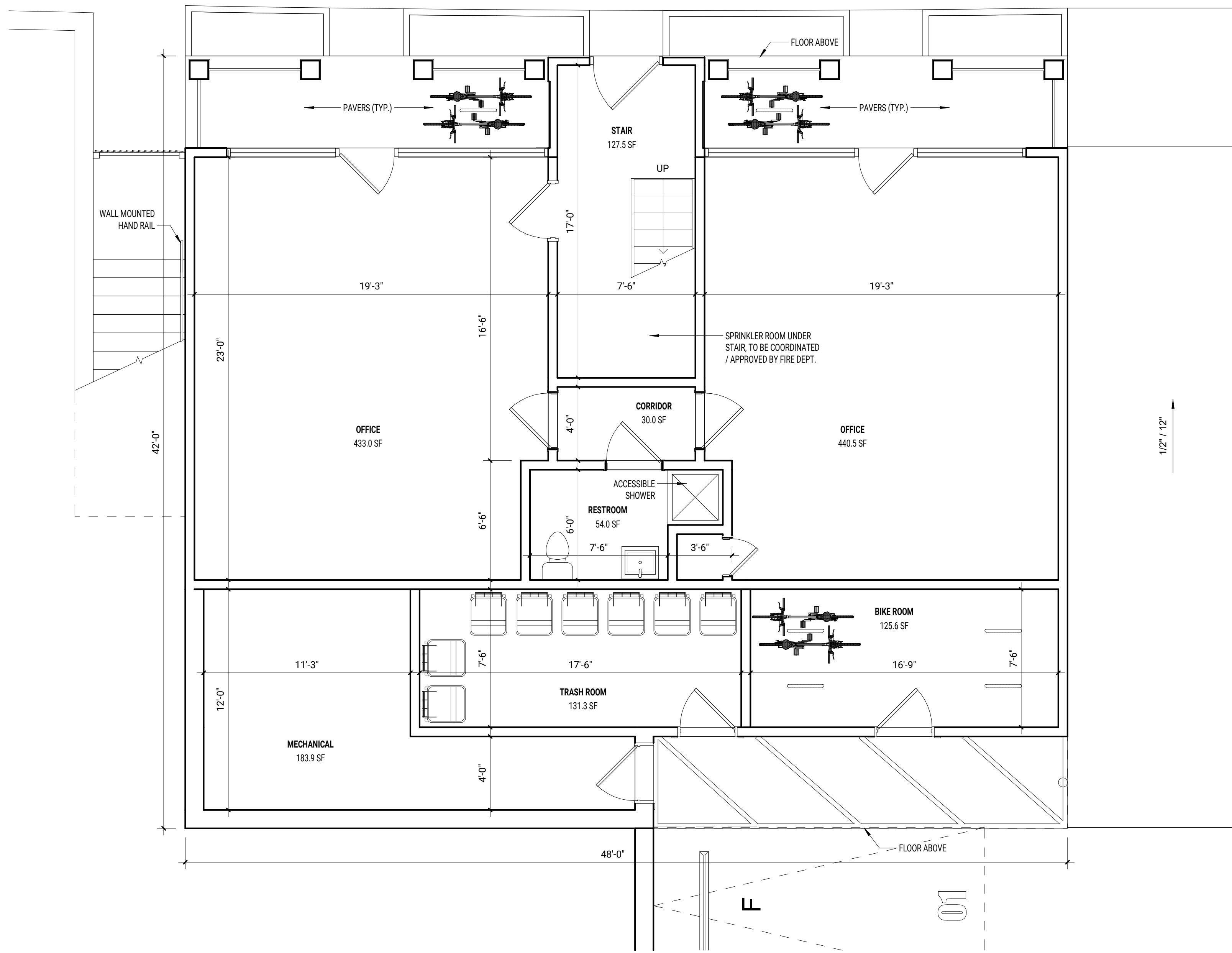
ISSUE FOR PERMIT

MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 4/15/2022
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

1ST FLOOR CONSTRUCTION
PLAN

A-102



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)

DRAFT

MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**

ADDRESS:
1500 Massachusetts Ave, Arlington MA

DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

1ST FLOOR CONSTRUCTION
PLAN

A-102

CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)

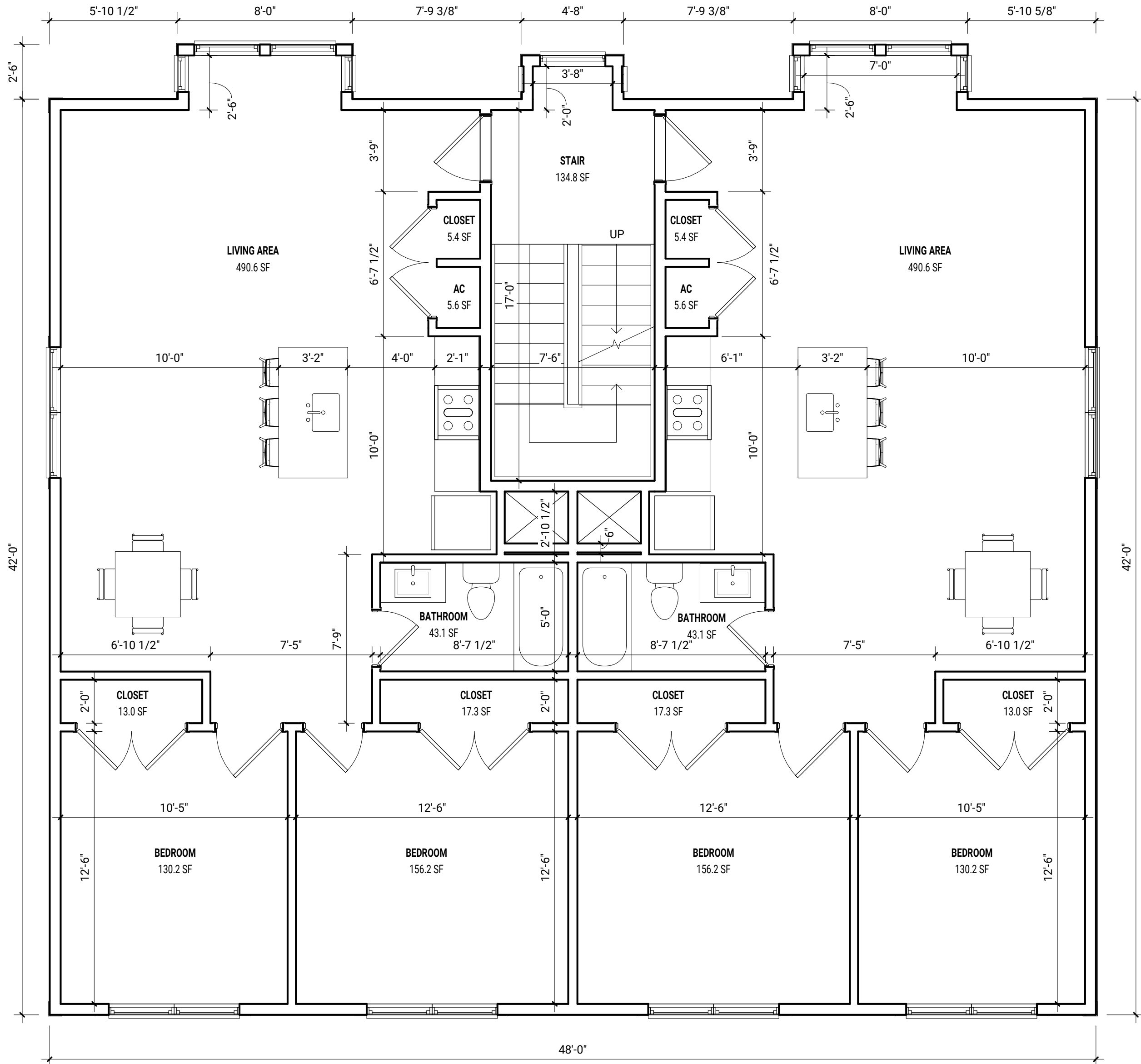


MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

2ND FLOOR CONSTRUCTION
PLAN

A-103



CONSULTANTS:

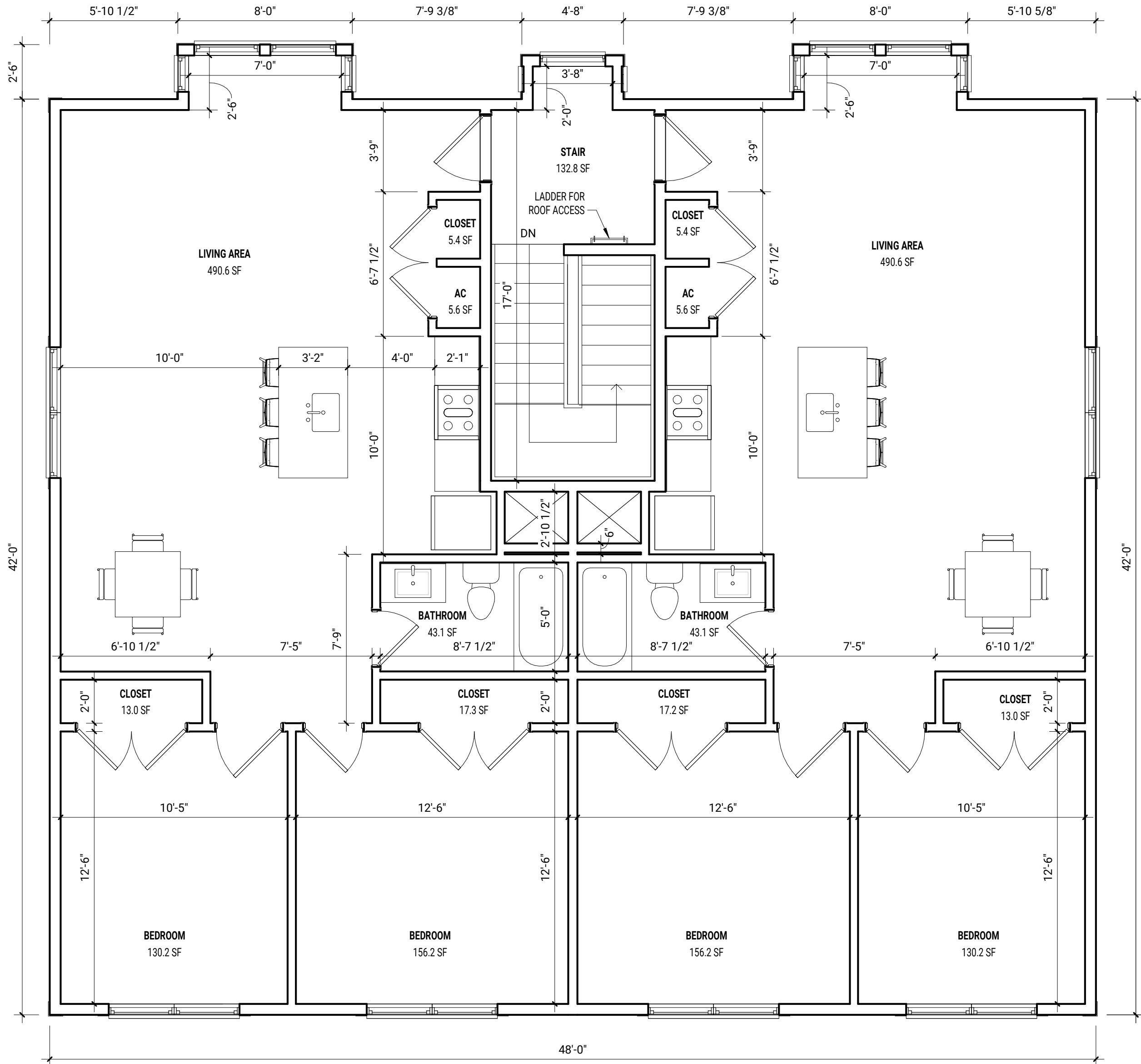
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(NOT FOR CONSTRUCTION)

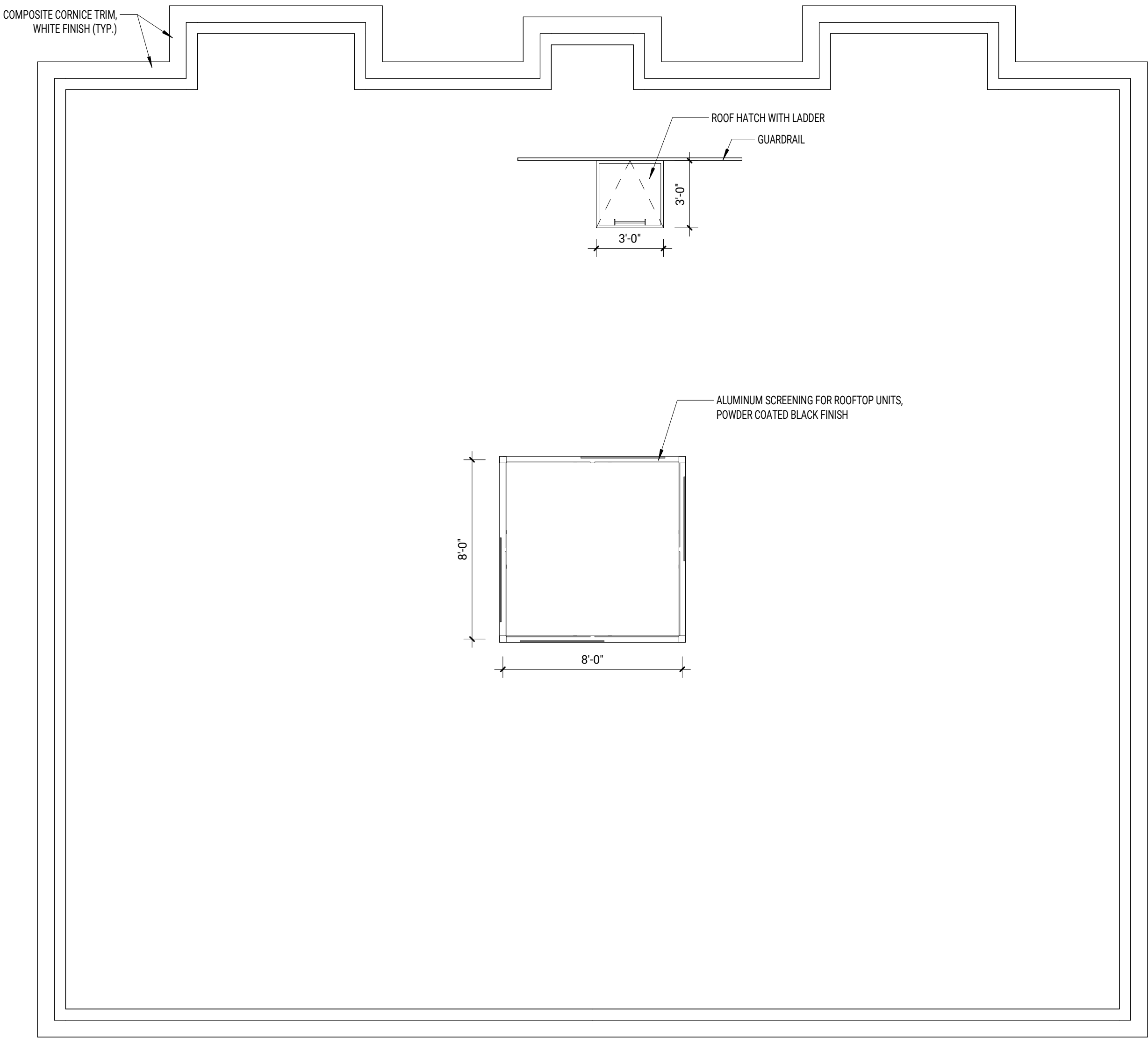


MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

3RD FLOOR CONSTRUCTION
PLAN





CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

ROOF CONSTRUCTION PLAN

CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

NORTH BUILDING ELEVATION

A-201



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)

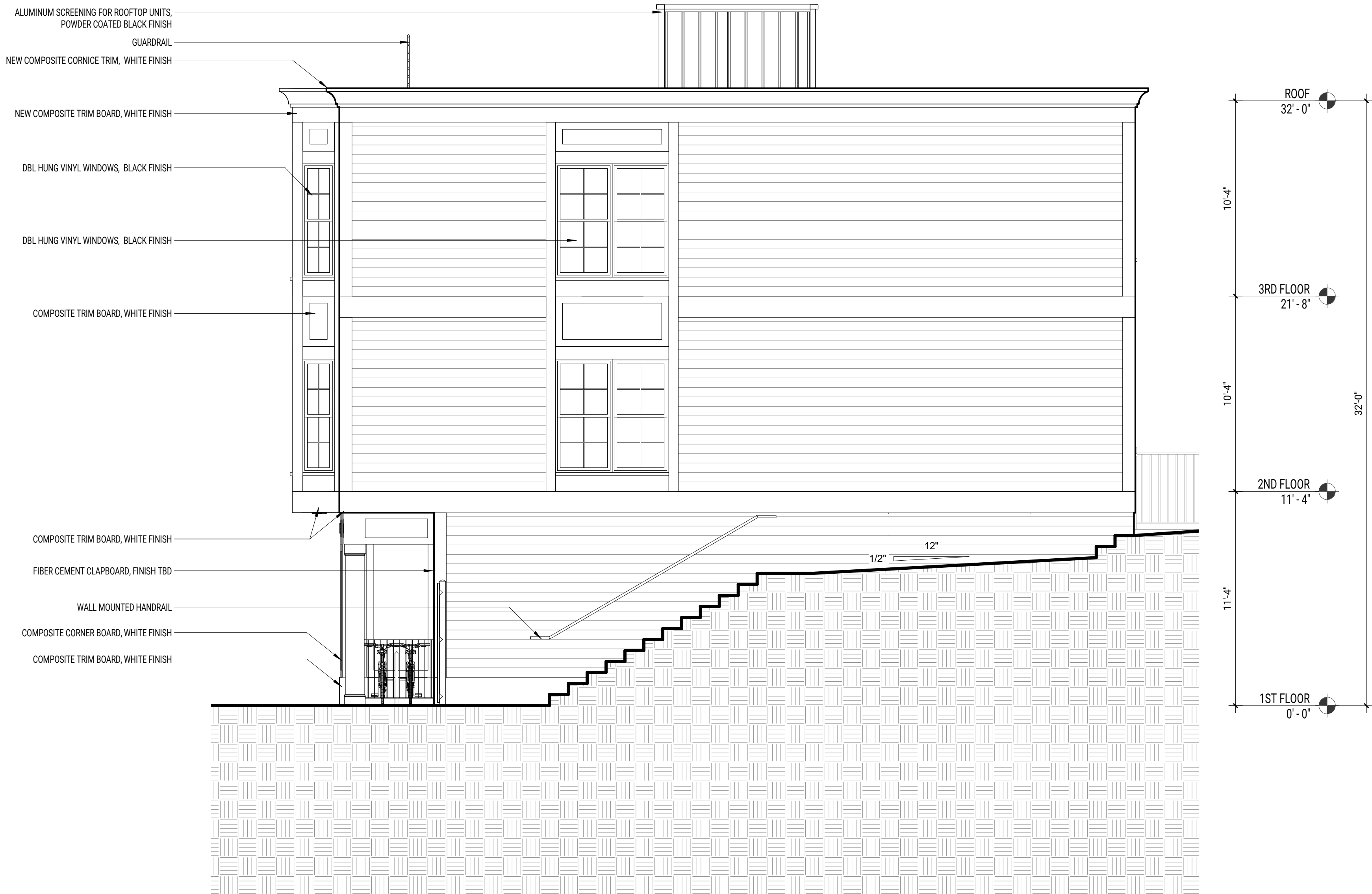


MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

WEST BUILDING ELEVATION

A-202



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

SOUTH BUILDING ELEVATION

A-203



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



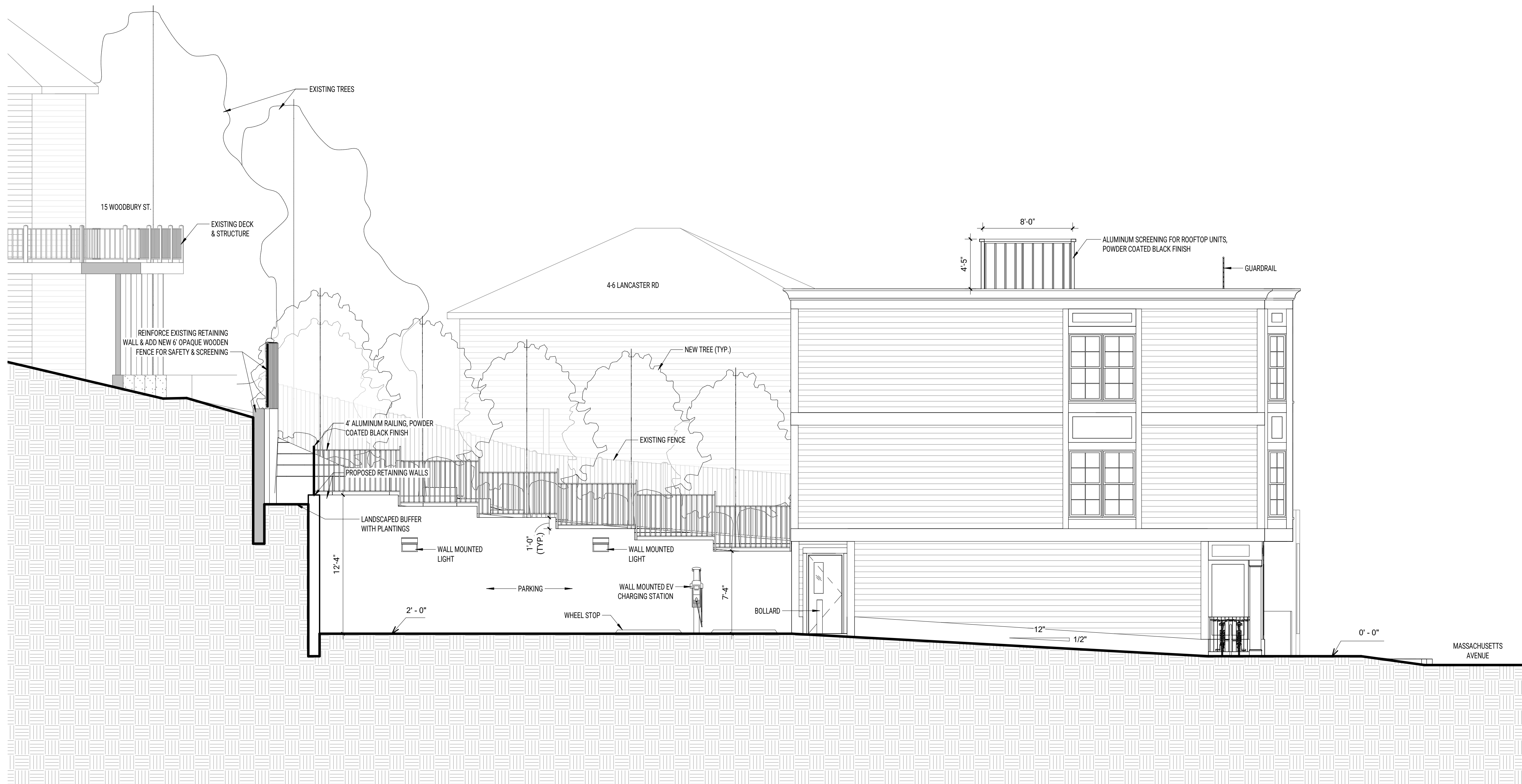
MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

EAST BUILDING ELEVATION

A-204





ROOF
32' - 0"

3RD FLOOR
21' - 8"

2ND FLOOR
11' - 4"

1ST FLOOR
0' - 0"

MF
DS
A+P

MONTE FRENCH DESIGN STUDIO (MFDS)
650 COLUMBUS AVE, STE. A
BOSTON MA, 02118
T: 617-606-4496
WWW.MFDS-BOS.COM

CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)

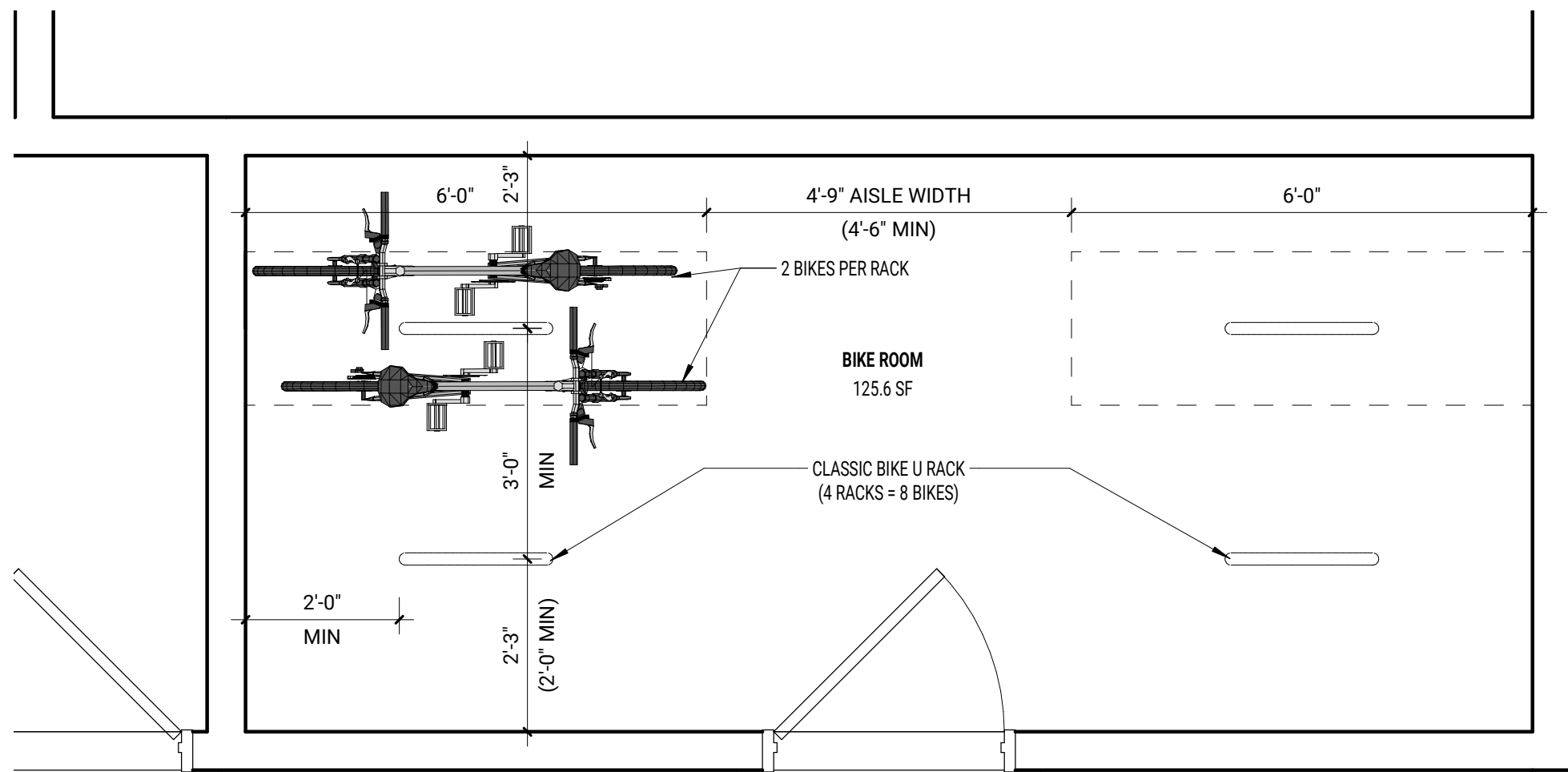
DRAFT

MARK: DATE: DESCRIPTION:
ISSUE LOG:

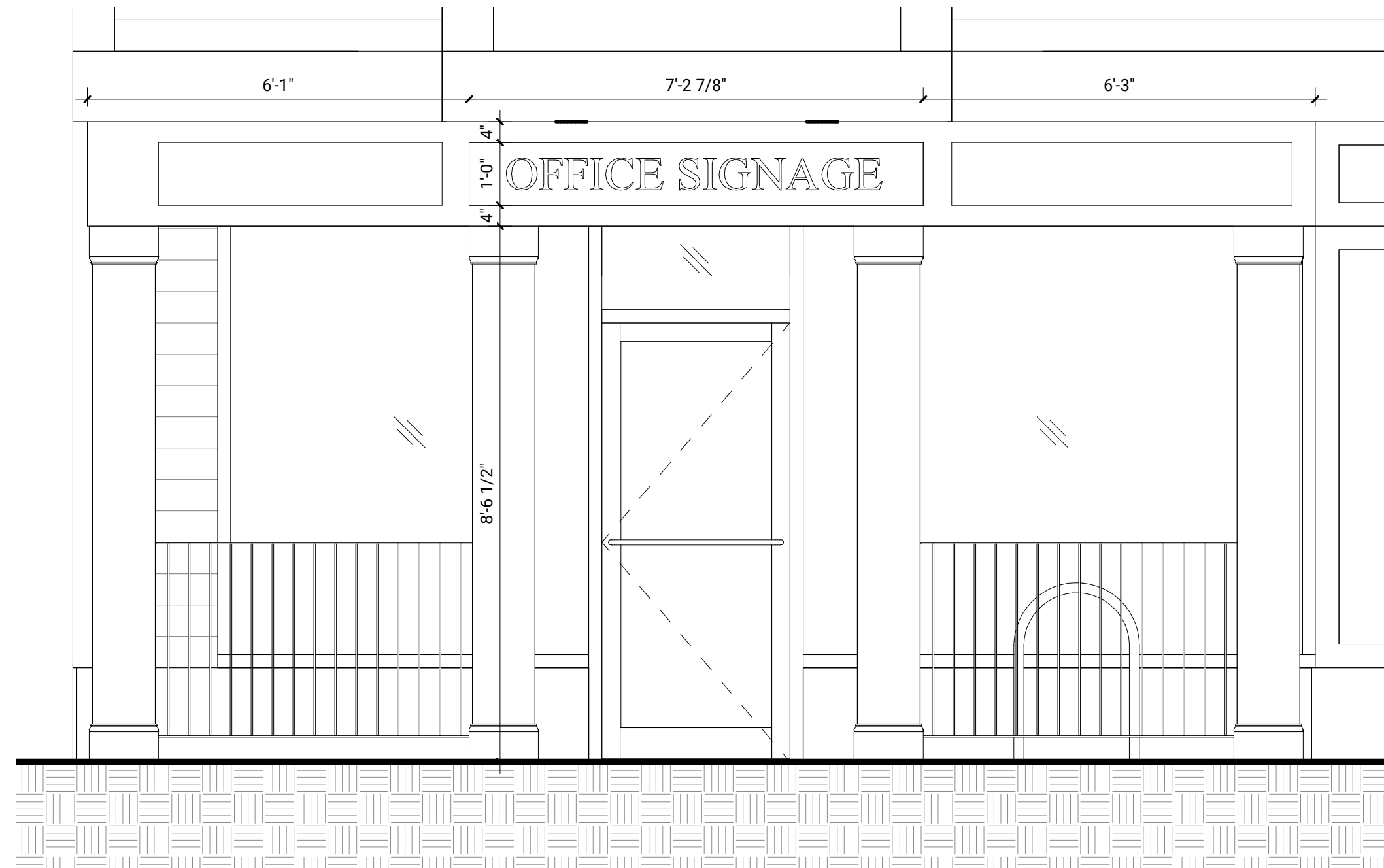
PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: 3/16" = 1'-0"
DRAWN BY: EAD

EAST BUILDING SECTION

A-301

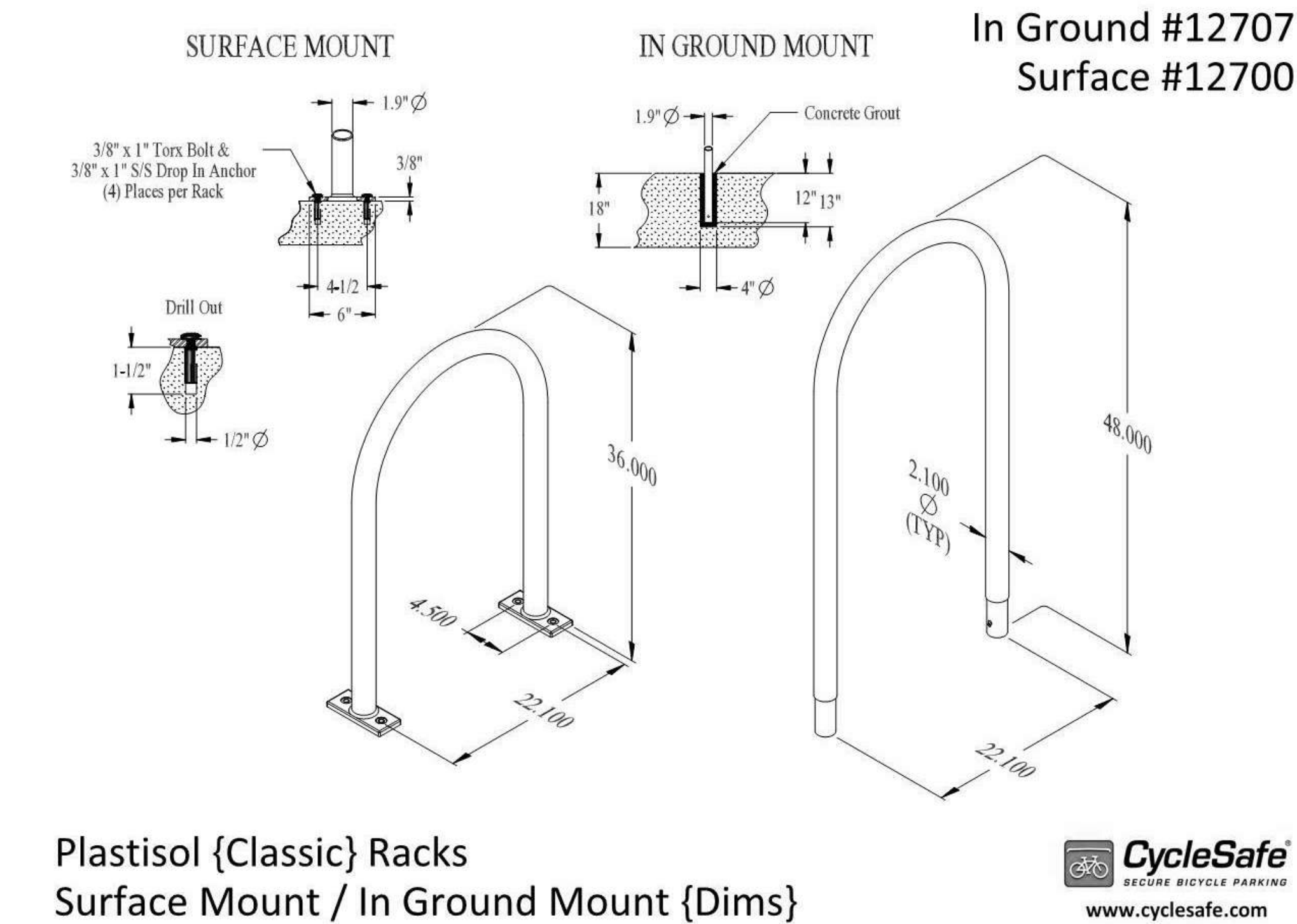


1 ENLARGED PLAN - BICYCLE ROOM
SCALE: 1/2" = 1'-0"



2 ENLARGED ELEVATION - BUILDING SIGNAGE
SCALE: 1/2" = 1'-0"

BIKE RACK SPECIFICATIONS



MFDS A+P

MONTE FRENCH DESIGN STUDIO (MFDS)
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T: 617-606-4496
WWW.MFDS-BOS.COM

CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

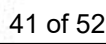
PROJECT NAME:
1500 Massachusetts Ave

ADDRESS:
1500 Massachusetts Ave, Arlington MA

DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: As indicated
DRAWN BY: EAD

ENLARGED PLANS &
SPECIFICATIONS

A-401



A circle divided into 10 equal sectors, with 8 sectors shaded green.

MONTE FRENCH DESIGN STUDIO (MFDS)
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WWW.MFDS-BOS.COM

CONSULTANTS

ZONING SET
(NOT FOR CONSTRUCTION)

DRAFT

MARK:	DATE:	DESCRIPTION
ISSUE LOG:		

PROJECT NAME:
1500
Massachusetts
Ave

ADDRESS: 500 Massachusetts Ave, Arlington MA

DATE ISSUED: 10/27/2020

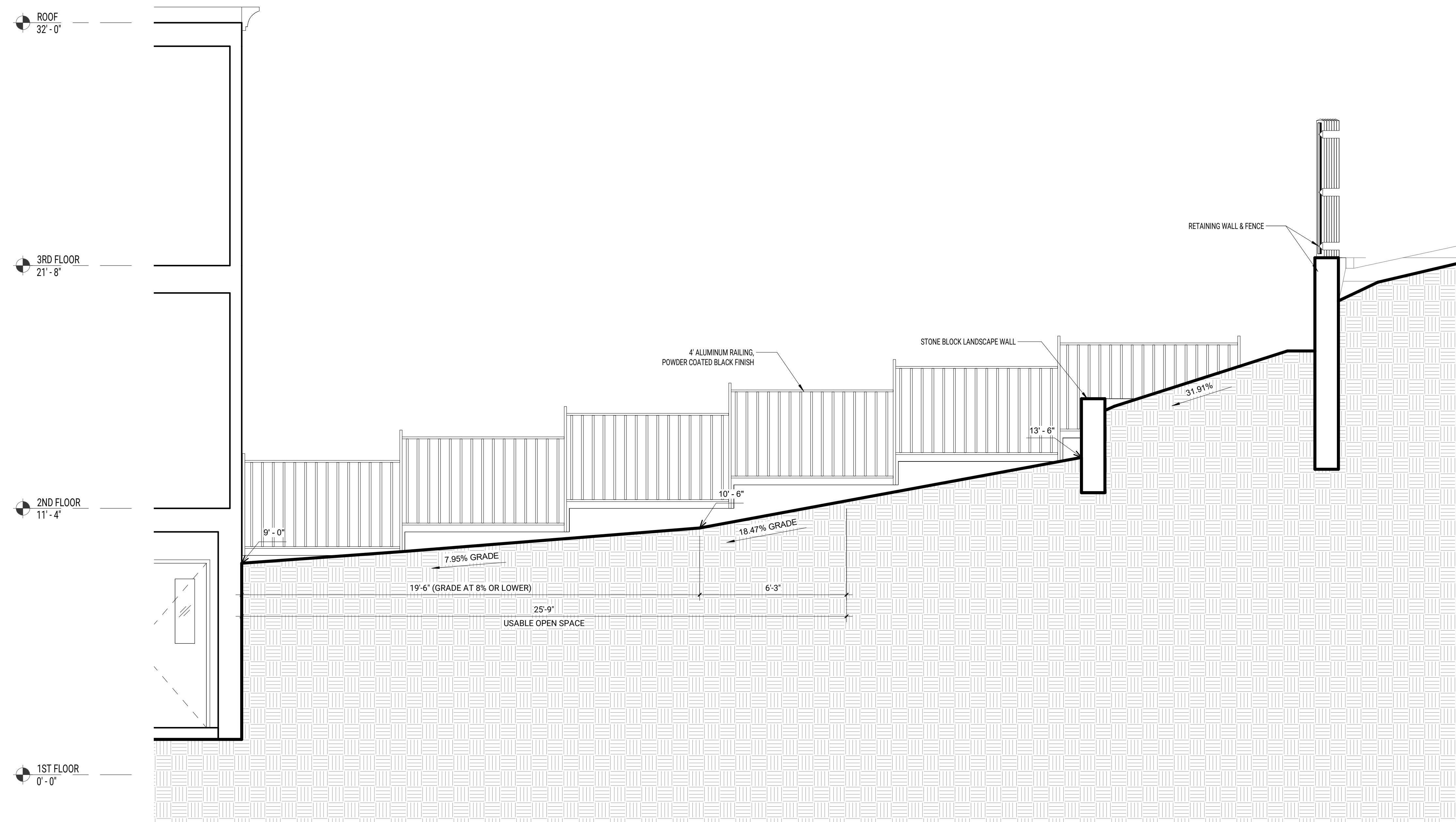
PROJECT #: 19018

SCALE: As indicated

RAWN BY: EAD

ENLARGED OPEN SPACE PLAN

A-402



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**

ADDRESS:
1500 Massachusetts Ave, Arlington MA

DATE ISSUED: 10/27/2020

PROJECT #: 19018

SCALE: 3/8" = 1'-0"

DRAWN BY: EAD

USABLE OPEN SPACE SECTION

A-403

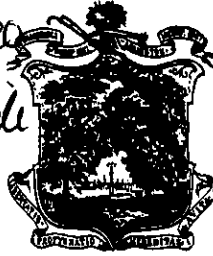
6-0

I hereby certify this is a True Copy of the Decision of the Arlington Redevelopment Board as filed with the Office of the Town Clerk of the Town of Arlington, Massachusetts on November 12, 2020 and that 20 days have elapsed after the Decision and no Appeal has been filed. ATTEST:

Date of Issue

December 2, 2020

Town Clerk

TOWN CLERK'S OFFICE
ARLINGTON, MA 02174

2020 NOV 12 AM 10:17

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Town of Arlington, Massachusetts
Department of Planning & Community Development
 730 Massachusetts Avenue, Arlington, Massachusetts 02476



2020 00232456

Bk: 76366 Pg: 368 Doc: DECIS
 Page: 1 of 6 12/08/2020 11:24 AM

DECISION OF THE BOARD

Title Reference:

Book 72728, Page 21

&

Book 74734 Page 571

Environmental Design Review Docket #3633
1500 Massachusetts Avenue, Arlington, MA 02476

November 2, 2020

This Decision applies to the application by 1500 Mass Ave, LLC, to construct a new mixed-use building with four (4) residential units and two (2) commercial office units at 1500 Massachusetts Avenue within the B1 Neighborhood Business District. The Board reviewed and approved an Environmental Design Review Special Permit in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review.

A public hearing was held on September 14, October 19, and November 2, 2020. The public hearing was closed on November 2, 2020, and the new building approved by a vote of 5-0.

Materials reviewed for this Decision:

- Application for EDR Special Permit, including dimensional and parking information, building and site plans, existing site conditions, proposed landscaping, photographs, impact statement, building elevation and renderings, LEED checklist, and signage details, dated August 20, 2020;
- Updated Environmental Design Review narrative, dated October 13, 2020, and revised October 27, 2020;
- Updated Statement of Intent, dated October 13, 2020, and revised dated October 27, 2020
- Updated Dimensional Charts, dated October 13, 2020, and revised dated October 27, 2020; and
- Updated Plan Set and Presentation Boards, dated October 9, 2020, and revised October 27, 2020, from MFDS A+P.

The following criteria have been met, per Section 3.3.3, Arlington Zoning Bylaw:

1. Mixed-use is allowed by Special Permit in the B1 Neighborhood Office District. The Zoning Bylaw, in Section 5.5.1 A, indicates that mixed-use buildings without retail space are allowed in the district.
2. The Master Plan recommends supporting commercial areas by encouraging new mixed-use redevelopment, including residential and commercial uses, in and near commercial corridors. This new development is in close proximity to the Arlington Heights commercial district, and businesses along Massachusetts Avenue. The corridor is served by transit and existing infrastructure. The former use was a three-family dwelling. As such, the mixed-use building will provide a net increase of one residential unit and new office space.
3. The development will include 5 surface parking spaces for cars, including the installation of an EV charger, and 4 short-term bicycle parking spaces and 8 long-term bicycle parking spaces located within the building. The new building and use will not create undue traffic congestion or unduly impair pedestrian safety.
4. The new building and use will not overload any municipal systems. The addition of permeable pavers for the parking lot, a catch basin, and a trench drain across the driveway will facilitate the collection of stormwater prior to it flowing into Massachusetts Avenue.
5. All special regulations applicable to the use are fulfilled.
6. The use does not impair the integrity or character of the neighborhood. The mixed-use building is in keeping with adjacent land uses, particularly along Massachusetts Avenue. New residential units will not impair the integrity or character of the district or the adjoining districts and it will not be detrimental to health or welfare. The building is consistent with the Design Standards for the Town of Arlington.
7. The use will not be in excess or detrimental to the character of the neighborhood.

The following criteria have been met, per Section 3.4.4, Arlington Zoning Bylaw:**1. EDR-1 Preservation of Landscape**

Following the demolition of the structure previously located on the site, the vegetation on the lot was also removed. The development will introduce new landscaping materials and will be regraded which is in keeping with the general appearance of neighboring developed areas.

The applicant continues to work with the Tree Warden to be in compliance with the Tree Protection and Preservation Bylaw (Title V, Article 16) due to the removal of trees from the property. The site is also sloped, so a retaining wall will be constructed to create open

TOWN CLERK'S OFFICE
ARLINGTON, MA 02174

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space at the rear of the site where eleven new trees and vegetation will be planted. The applicant will work with the Tree Warden to select the type and caliper of trees to be planted.

Additional landscaping will be installed along the sidewalk and western property line to create an inviting streetscape at the office spaces.

2. EDR-2 Relation of the Building to the Environment

The building design relates to the neighborhood and vicinity. Neighboring structures include a one-story building with a restaurant and a 12-unit multifamily apartment building on the 1500 block of Massachusetts Avenue and one- and two-family buildings across Massachusetts Avenue. The building height will not shadow abutting properties in the R1 residential district. This is primarily because of the grade change between those properties and the proposed new building. Additionally, the former structure on the site was close in height to the new building.

3. EDR-3 Open Space

By bringing the building closer to the street, a large area of usable open space will be provided at the rear of the building. The use of a retaining wall ensures that this space is generally flat and open to the sky per the Zoning Bylaw. The ARB determined that adjusting the front yard setback to 2.5 feet as allowed by Section 5.3.16 in order to provide this area of usable open space and to facilitate tree planting in accordance with the Tree Protection and Preservation Bylaw is an improvement to the site and the future occupants of the site.

Landscaped open space is located throughout the property. A buffer of at least 5 feet is provided along the rear property line. Additional landscaped open space and a walkway to access the usable open space at the rear of the property is provided along the western side property line.

4. EDR-4 Circulation

The applicant sought a parking reduction through Section 6.1.5 and submitted a Transportation Demand Management (TDM) Plan accordingly. The ARB granted this request of no fewer than 5 parking spaces and compliance with the TDM Plan.

The office space, totaling 873.5 square feet, would require two parking spaces. However, in mixed-use developments, the first 3,000 square feet of non-residential space is exempt from parking requirements. The residential use includes four, two-bedroom residential units. Each two-bedroom unit is required to have 1.5 vehicle parking spaces per unit for a total of 6 parking spaces required. Five vehicle parking spaces are provided. Each residential unit will be assigned one space, and the fifth parking space will be available to an office tenant and provide overflow parking for residential guests.

An EV charger is also provided. Assigning parking spaces and providing an EV charger are two elements of the TDM Plan, which also includes providing covered bicycle parking and

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ARLINGTON, MA 02174

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storage and providing a shower in the shared restroom for the office tenants. Related to bicycle parking, 4 short-term bicycle parking spaces are provided along the sidewalk. The building overhand provides some protection of these bicycle racks from weather. Additionally, 8 long-term bicycle parking spaces are provided in a bicycle storage room on the first floor of the building.

Access to the site is through a two-way driveway on the eastern property line. Four of the parking spaces are for full-sized vehicles and one parking space is designed for compact vehicles to facilitate access to this parking space.

5. EDR-5 Surface Water Drainage

The parking area will be paved with permeable pavers, which will contribute to the control of stormwater management on the site. The addition of a catch basin within the parking area and a trench drain across the driveway will capture sheet flow before it flows into Massachusetts Avenue. This is an improvement over the existing condition where there are no controls for stormwater.

6. EDR-6 Utilities Service

There will be no any changes to utility service.

7. EDR-7 Advertising Features

The project includes signage that is compliant with the requirements of signage in the B1 Neighborhood Office District. The signage will require additional approval once a tenant is selected

8. EDR-8 Special Features

All special features are contained within the building.

9. EDR-9 Safety

The new building conforms to all code requirements for open and enclosed spaces. The building design and features will increase safety.

10. EDR-10 Heritage

The former three-family dwelling which was located on this property and demolished was not listed on the *Inventory of Historically or Architecturally Significant Properties in the Town of Arlington* and is not under the jurisdiction of the Arlington Historical Commission. None of the adjacent properties are listed on the Inventory.

11. EDR-11 Microclimate

There will be no adverse impacts on air and water resources or on temperature levels of the immediate environment.

12. EDR-12 Sustainable Building and Site Design

The building will include sustainability and performance features that will enhance energy and atmosphere and indoor environmental quality.

The project must adhere to the following general conditions:

1. The final design, sign, exterior material, landscaping, and lighting plans shall be subject to the approval of the Arlington Redevelopment Board or administratively approved by the Department of Planning and Community Development. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board.
2. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.
3. Snow removal from all parts of the site, as well as from any abutting public sidewalks, shall be the responsibility of the owner and shall be accomplished in accordance with Town Bylaws.
4. Trash shall be picked up only on Monday through Friday between the hours of 7:00 am and 6:00 pm. All exterior trash and storage areas on the property, if any, shall be properly screened and maintained in accordance with the Town Bylaws.
5. The owner shall provide a statement from the Town Engineer that all proposed utility services have adequate capacity to serve the development.
6. Upon installation of landscaping materials and other site improvements, the owner shall remain responsible for such materials and improvement and shall replace and repair as necessary to remain in compliance with the approved site plan.
7. All utilities serving or traversing the site (including electric, telephone, cable, and other such lines and equipment) shall be underground.
8. Upon the issuance of the building permit the Applicant shall file with the Inspectional Services Department and the Police Department the names and telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.

The project must adhere to the following special conditions:

1. Any final building signage will be reviewed and approved by the Department of Planning and Community Development and Inspectional Services or Arlington Redevelopment Board, as applicable.
2. The Final Transportation Demand Management Plan shall be submitted for review and approval by the Department of Planning and Community Development.
3. The Applicant is required to comply with all requirements of the Tree Protection and Preservation Bylaw and as required by the Tree Warden.

4. The ARB adjusted the required front yard setback from 20 feet to 2.5 feet in accordance with Section 5.3.16 due to conditions unique to the proposal.
5. The ARB reduced the required parking spaces from 6 to 5, pursuant to Section 6.1.5 and the Transportation Demand Management Plan.

I hereby certify this is a True Copy of the Decision of
the Arlington Redevelopment Board as filed with the
Office of the Town Clerk of the Town of
Arlington, Massachusetts on November 12, 2020
and that 20 days have elapsed after the Decision and no
Appeal has been filed. ATTEST:

Date of Issue

December 2, 2020

Juliana H. Bagley
Town Clerk

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ARLINGTON, MA 02174

2020 NOV 12 AM 10:17

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MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, HOUSING AND
ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure

1000 Washington St., Suite 710
Boston, Massachusetts 02118

LAYLA R. D'EMILIA
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

Docket Number **V 23 155**

AMENDED NOTICE OF ACTION

RE: Mixed Use Building, 1500 Massachusetts Avenue, Arlington

On May 15, 2024, the Architectural Access Board received a filing in the above referenced matter. This filing was subsequently reviewed by the Board at its meeting on May 20, 2024.

After reviewing the information provided, the Board voted to accept the filing.

ACCEPT the withdrawal of the request for relief to 9.3, and

GRANT relief to 10.1 as proposed.

Any person aggrieved by the above decision may request an adjudicatory hearing before the Board within 30 days of receipt of this decision by filing the attached request for an adjudicatory hearing. If after 30 days, a request for an adjudicatory hearing is not received, the above decision becomes a final decision and the appeal process is through Superior Court.

Date: May 22, 2024

cc: Local Disability Commission
Local Building Inspector
Independent Living Center


Chairperson
ARCHITECTURAL ACCESS BOARD



Town of Arlington, Massachusetts

Memo regarding allowed changes to Special Permits

Summary:

8:45 pm The Director of DPCD will present a memo for discussion by the Board about the types of changes allowed after a Special Permit is granted.

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	07092024_Special_Permit_Project_changes_memo.pdf	07092024 Special Permit Project changes memo



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

Date: July 9, 2024

To: Arlington Redevelopment Board

From: Claire V. Ricker, AICP, Director

Re: Project Design and program changes – 1207-1211 Mass Ave (Hotel Lexington)

On June 10, 2024, the Arlington Redevelopment Board (ARB) received a project update from Jim Doherty, the developer of 1207-1211 Massachusetts Avenue, also known as the “Hotel Lexington” project. As part of the discussion between the Board and the developer, the developer stated that the project as permitted was in progress, but also that he had several different ideas for the project site should he be unable to develop a hotel. The Board requested that DPCD, in consultation with Town Counsel, provide guidance as to what sorts of modifications to the project would fall under the currently approved special permit, versus those that would require an amended or new special permit.

The Hotel Lexington development team is considering three options for the site:

- 1) The current, permitted hotel proposal, which is the preferred approach. Issues include whether they can reach the goal of 50 rooms, the mix of room types, and the size of common areas. The intention was to include a 3,200-square-foot restaurant, but they heard concerns from restaurant operators about that being too small a space.
- 2) Residential mixed-use development. This is the most likely option should the hotel not prove feasible. This project would include retail and/or office space on the first floor, but no restaurant.
- 3) Two stand-alone uses. The property consists of two separate parcels, which are differently zoned. 1207 Mass Ave is located in the B2 district and is subject to a mixed-use deed restriction. 1211 Mass Ave is in the B4 district and has no restrictions save for zoning.

In consultation with Town Counsel, it has been determined that any significant change to the massing, siting, design, or program of the development will require re-opening the project permit for amendment, or the award of a new permit altogether. Furthermore, any potential change in use from commercial to mixed-use residential, for example, will likely require a new special permit from the Board even if there are no changes to the overall massing, siting, and design of the project.

Mr. Doherty suggested that the second and third floors of the hotel may be redesigned to overhang the proposed drop-off area to accommodate a greater mix of rooms types and increase the size of the common areas. This modification would require a new special permit. However, increasing the overall size of the proposed restaurant area with minimal changes to the exterior and no changes to the site plan could likely be achieved with an amendment to the existing permit. In summary, changes to the interior of the proposed hotel, and minor changes to the exterior may be considered by the Board for an amended special permit. Any change to the use, massing, siting, or overall design of the permitted project will require a new special permit from the Board.